

REPORT

—OF—

COMMITTEE ON INVESTIGATION

OF THE AFFAIRS OF THE

Indiana Hospital for Insane,

—AT—

INDIANAPOLIS.

INDIANAPOLIS:

WM. B. BURFORD, CONTRACTOR FOR STATE PRINTING AND BINDING.
1889.



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RESOLUTION.

Resolved by the Senate, the House of Representatives concurring,
That a committee of four be appointed by the Senate, to act with a committee to be appointed by the House, two members to be selected by the majority and two by the minority, on the part of the Senate, to fully and thoroughly investigate the condition and affairs of the Indiana Hospital for the Insane, with power to send for persons and papers, to employ a stenographer and expert accountants, and to report at as early a day as possible.

I, A. G. Smith, Principal Secretary of the Senate, do hereby certify that the foregoing is a true and complete copy of Senate Concurrent Resolution No. 9. That the same was adopted by the Senate and House of Representatives, February 20, 1889.

Witness my hand, this 23d day of February, 1889.

A. G. SMITH,
Principal Secretary of the Senate.

REPORT.

To the Senate and House of Representatives :

Your Joint Committee appointed by Concurrent Resolution of the Senate and House of Representatives, to investigate the condition and affairs of the Indiana Hospital for the Insane, respectfully report as follows :

First. Your Committee organized Monday, February 25, 1889, in room 52, of the State House, to which place all books of account and papers placed before the committee were brought, and where all testimony was heard. The Doorkeeper of the House of Representatives detailed an assistant for the service of the committee. Mr. Daniel Leslie, of Winchester, Ind., and Capt. R. A. Fuller, of New Albany, Ind., were employed as expert accountants, and have made as complete an examination of the financial records and papers of the hospital as the limited time at their disposal would permit, a copy of which is filed with this report. Mr. William E. Barton and Mr. Ballenger were appointed stenographers.

The following order of business was adopted as reported by sub-committee on order of business :

1. That the committee be recognized as permanently organized with Senator Burke, as Chairman, and Representative Fields, as Secretary, under the Joint Resolution of the General Assembly, for the Investigation of the Hospital for the Insane, at Indianapolis.

2. That the meetings of the committee be held at the State House, in room 52, to which room all books of account, vouchers and other papers connected with the business of the hospital shall be brought and where witnesses shall be examined.

3. That the full committee, with stenographer, meet every day at 1:30 o'clock, and at such other times as the committee shall fix, at which time the committee will hear the testimony

of such persons as the committee may from time to time direct. The Doorkeeper of the House shall be requested to detail officers from his force to serve process and guard the doors of the committee room, to serve without additional pay, except that the actual expenses of such officers shall be paid.

4. Witnesses shall be sworn by the Chairman, and be examined by the Chairman, and by a sub-committee of Senator Hays and Representative Henry, but any member of the committee may at any time ask the witness any question, only so as not unnecessarily to interrupt the examination. Counsel may be present if desired by any person under investigation, but shall not question witnesses nor address the committee.

5. Representative Pleasants and Senator Shockney will form a sub-committee to examine books of account, vouchers, bank accounts, account with State Treasury and all other accounts and papers of the Board of Trustees, or any member thereof. They will sit during the recess of the committee, and shall be aided by two non-partisan expert accountants. They will report to the Committee from time to time such matters as they shall deem necessary.

6. Representatives Conn, Fields and Brown and Senator Howard will form a sub-committee to proceed to the Insane Hospital and examine in detail into the management of the institution, the condition and treatment of the inmates, the food, clothing and other supplies, and such other matters as they may find necessary. They will also sit during the recess of the Committee, and bring before the committee such matters as they may deem proper. They may employ such experts as they may deem necessary to assist in the examination of the Hospital, such experts to testify before the full Committee.

7. Any of the sub-committee may have the services of the stenographer when necessary, but all evidence shall be taken before the whole Committee in the State House, except in case of necessity. The stenographer and experts shall be duly sworn before entering upon their duties.

8. The character of the investigation and of the examination of the witnesses shall be such as to bring out fully the true condition of the Hospital, not in a partisan but in a judicial spirit; the inquiry not being for the conviction nor for the acquittal of any person, but that the truth may be shown to the people of the State.

9. The witness under examination and the trustees and officers of the institution, and their counsel, if they desire any, and the representatives of the press, shall be admitted to the meetings of the Committee.

10. The Chairman, subject to appeal to the Committee, is charged with the observance of this order of business.

All of which is respectfully submitted.

T. E. HOWARD,
For the sub-committee,

The ninth article of this order of business was afterward amended so as to exclude from the sittings of your Committee all persons except the witness under examination and the representatives of the press. The reason for this modification was that your Committee became satisfied that the presence of the officers of the institution during the examination prevented the witnesses from testifying freely concerning the true state of affairs connected with the management of the Hospital.

Second. The sub-committee, detailed to visit the hospital, had opportunity to make but two visits to that Institution. The residence and office of the Superintendent are in the female department, and those of the Assistant Superintendent are in the male department. The offices, halls and wards of the hospital were found to be clean and well kept, and, so far as observed, good order and discipline prevails. The sub-committee was present at the general dinner of the patients of the female department, and the control exercised over the patients by their attendants was found to be as good as could be expected in governing persons so far deprived of the light of reason. The tables were clean, the food was plain but well cooked and of sufficient variety, consisting of boiled beef, vegetables, bread and milk.

The food is cooked in large kettles and pans, and appeared cleanly and well prepared.

The general store of the hospital is situated in the rear and midway between the male and female departments, and is in charge of Mr. Hyde, the assistant storekeeper. The amount of goods on hand in this store seemed small for so great an establishment, but was accounted for by the information that supplies were ordered from the various contractors as they were needed.

Third. Your committee heard the evidence of the three Trustees, the Superintendent, the Assistant Superintendent, the Assistant Lady Physician, the Steward and the bookkeeper of the hospital; also, of Dr. Fletcher, former Superintendent; Dr. F. M. Howard, former Assistant Physician; the cashier of the Meridian National Bank, in which bank the deposits of the Treasurer of the Hospital were made; also, of the Treasurer of State and of such contractors and other persons connected with the management of the Hospital as the limited time allotted to this investigation would permit.

A complete report of this evidence taken down by the stenographer is filed with this report.

We find that the full amount appropriated for the maintenance, clothing and repairs at the hospital has been regularly drawn by the treasurer, Mr. Gapen. That very often and during all the months in which said Gapen was in the employment of John E. Sullivan, large sums of money, from \$1,000 to \$8,500 each month, would not be deposited in bank, subject to payment of checks issued by said Gapen for payment of bills allowed, but was loaned to John E. Sullivan and others from time to time, without security and in direct violation of law, while persons holding checks were compelled to await the payment of same for the want of funds in bank.

This system was continued by the Treasurer of the Board through all the period he was in the employ of said Sullivan, until finally over three thousand dollars of the money received by Mr. Gapen from the State Treasury was carried off by said John E. Sullivan, leaving Mr. Gapen indebted to the fund in that sum, while the persons who furnished the goods and whose bills had been allowed, are still holding the checks on the bank for the money which they can not draw because of this defalcation.

We find that on February 1, 1889, there were outstanding bills or unsettled accounts of various persons and firms having claims against said hospital, amounting in the aggregate to \$17,694.98. These accounts have been running, some of them, since November 1, 1888, the beginning of the present fiscal year, and a few have been carried over from the preceding year.

We have had access to no books of the Institution to show the receipts from products sold or from earnings at the hospital,

but from the books of the State Treasurer we find the amount paid in by the Institution to be, for the fiscal year of 1887, \$1,084.04, and for the fiscal year of 1888, \$838.65.

We also find that in some cases where goods were sold or disposed of to persons who had contracts for furnishing supplies, that the amount so taken was charged to said persons on account and deducted from bills, instead of being paid into the State Treasury as required by law.

A careful examination and comparison has been made of the bills of several contractors allowed by the Board for supplies with their contracts, and we find that the amounts purchased were generally much in excess of the amounts named in contracts. This is especially noticeable in the contracts for butter, eggs, poultry, sugar, coffee and tea. A tabulated statement of such comparisons by months, from March, 1887, to January, 1889, inclusive, of supplies above named, will be found in the statement of the experts, the requisition books of the Hospital for the several months being uniform as to the amounts needed, while the amounts purchased vary largely from month to month. Our inference is that when it was to the interest of the contractor, either on account of the reduced price of the goods purchased or the inferior quality of the goods accepted by such officers of the Hospital whose duty it was to receive the same, a much larger amount would be ordered than the contract called for.

We also find that the Board frequently failed to comply with the law in letting contracts for supplies; that when the bids did not suit the members of the Board, they refused to let the contract to any one, but authorized one of their number to make the purchases without any restrictions or limitations as to price, quantity or quality.

The frequency with which contracts were let to John E. Sullivan and others, especially where lower bids made by competing bidders were rejected, leads us to infer that an unjust and unlawful discrimination and favoritism was indulged in by the Board, which prevented competition in the sale of supplies to the Hospital, and compelled the Board to pay the highest price for inferior articles. The tabulated exhibits and report of the experts to this Committee disclose the fact that a very few persons furnished the principal supplies for the Hospital, and the evidence we think will show that a part of these persons at

least were in collusion with the Board to thrust inferior goods on the Asylum at exorbitant prices. We think also that the amount of goods for which contracts were made monthly was ample to supply the Institution, yet the bills show that monthly the Board paid for a much larger amount of goods than the contracts called for. The excess in the one item of tea, from March to December of 1887, was two thousand two hundred (2,200) pounds, and the excess of sugar for the same time was 13,822 pounds, while the excess for coffee for the year 1888 was 14,324 pounds, and of tea for the same year, 3,047 pounds, and the excess of sugar for that year was thirty-nine thousand eight hundred and twenty-five pounds (39,825), and many other articles in the same proportion.

We find that at the time of his appointment as Trustee, P. M. Gapen gave bond in the sum of two thousand dollars, with Samuel C. Hanna and Robert Browning, of Indianapolis, as sureties, and that said Gapen has never filed any additional bond, and that at least one of said sureties is now wholly insolvent and that the other surety has failed financially since the execution of said bond, but said surety, Mr. Browning, testified before this committee that he was now worth ten thousand dollars over all of his indebtedness.

We find that said Gapen has unlawfully appropriated to his own use several thousand dollars of the funds belonging to the Hospital, and that by reason thereof he is a defaulter for over three thousand dollars, and recommend that suit be instituted against him by the proper officers to recover said funds, and that the Prosecuting Attorney of Marion County cause such criminal proceedings to be commenced against him as his offense justifies.

We find that Dr. Galbraith, as Superintendent under the direction of the President of the Board, Dr. Harrison, on two occasions loaned one thousand dollars out of the contingent funds in his hands belonging to the Hospital to John E. Sullivan, but that said sums were subsequently repaid to him. We also find that on three or four occasions State Treasurer Lemcke, at the request of Mr. Gapen, loaned money to John E. Sullivan, taking an order on Mr. Gapen as Treasurer for said amounts, and that the amounts of said loans were deducted from the sums subsequently drawn by Mr. Gapen as Treasurer, and we condemn the practice as unlawful and recommend its discontinuance.

We find that the plan of issuing supplies at the Hospital is loose and almost wholly without system. The amount distributed is not based upon any estimate of the amount needed to supply the wants of the patients, but is determined wholly by the amounts called for from time to time by various employes of the Hospital. These supplies are not issued upon any requisition of the Superintendent or other superior officer, but are issued whenever called for by the cooks or other persons calling for them, the requests being sometimes in writing and sometimes verbal—no receipt being taken by the storekeeper for goods issued, and no sufficient precaution being taken to guarantee the safe delivery of the goods called for at the places in which they were claimed to be needed. The efficiency and economy of the present method depends wholly upon the honesty of the clerks and employes. No good business man would manage his private affairs in the loose manner in which this magnificent State charity is managed. Such a loose manner of doing business and keeping accounts makes it easy for collusion to take place and for an extensive waste of supplies to occur, without giving any means of detecting the same.

We find that J. S. Hall, the present steward and bookkeeper is wholly incompetent, and should be immediately removed and a thoroughly competent and unquestionably honest man be placed in the position.

We find that the management of the financial affairs of the Hospital under the present Board of Trustees has been very bad, and that the evidence creates a very strong suspicion that there has been corruption and dishonesty in the purchasing and receiving of supplies.

We find that the present Superintendent, Dr. Galbraith, was selected with the express or implied understanding that he would not interfere with the Board and their appointees in the purchase and receiving of supplies, and that he would not interfere with the appointments of said Board, and with the express understanding that he would appoint Dr. Howard as a physician at the Hospital, without himself knowing anything of the qualifications of said doctor for the position, and that as Superintendent he has failed to exercise his proper authority in correcting and preventing abuses at the Hospital, which, taken in connection with the fact that he has failed to

adopt any proper system to regulate the amount of rations required to support the inmates of the Hospital, show him to be not qualified to discharge the duties of so responsible a position as Superintendent of our greatest charitable institution.

We find that the evidence does not support the accusations of immorality and intemperance made against Dr. Thomas, and exonerate him from said accusations.

We find that the system of keeping the accounts in the store-room at the Hospital is very defective and incomplete, and that it is impossible to ascertain from them whether the goods which are claimed to have been purchased and received were actually used at the Hospital. We recommend a radical change in the whole plan of keeping said accounts.

Your committee find that in October, 1887, P. M. Gapen, Treasurer of the Board of Trustees, entered the employment of John E. Sullivan in the produce business at a salary of \$25 per week, and continued in said employment until said Sullivan's defalcation and flight, his duties in such position being merely nominal, it being the evident purpose of said Sullivan in securing his services to also secure the use of the funds of the State, as well as an improper advantage in the matter of furnishing supplies to the Hospital; and your committee believe from the evidence that both of said purposes were accomplished to the very great detriment of the Institution, as after said employment said Sullivan almost always secured the contract for furnishing produce to the Hospital, and the amounts paid him from month to month on said account continued to increase until the sums paid him monthly exceed by over a thousand dollars the amount actually required to furnish the necessary supply of produce to the Hospital, and that the contract for the month of February, 1889, had been awarded to said Sullivan shortly before his defalcation, and would, in the opinion of your committee, have been carried out in the usual way by said P. M. Gapen, claiming to act as assignee of said Sullivan, but for the interference of Mr. Burrell, one of the Trustees, who caused said contract to be canceled.

While the evidence discloses the fact that there are debts outstanding against the Hospital amounting to over seventeen thousand dollars, claimed to have been caused by an insufficiency in the appropriation, your committee believe that with an honest and economical management of the business affairs

of the Hospital the amount of funds received from time to time would have been ample to pay all proper and necessary expenses in carrying on the Hospital.

Upon some matters mentioned in the evidence the committee makes no finding, for the reason that on account of the limited time at their disposal they were unable to complete their investigation upon said points, and it is possible that a fuller investigation might have placed said matters in a different light.

All of which is respectfully submitted.

T. E. HOWARD,
THOS. SHOCKNEY,
S. A. HAYS,
C. G. CONN,
E. G. HENRY,
W. A. BROWN,
GEORGE S. PLEASANTS,
M. W. FIELDS.

To the Committee on the Investigation of the Indiana Hospital for the Insane:

We, the undersigned accountants, who were selected by your committee to assist in the examination of the books, accounts, contracts, bills and vouchers, etc., of said hospital, would beg leave to submit the following statement and report:

We have made a careful examination of the receipts and expenditures of the Board of Trustees, of said hospital, from November 1, 1886, to February 1, 1889, as shown by the report of the Treasurer of State furnished your committee, and the books and accounts of P. M. Gapen, as Treasurer of said board.

We find that the whole amount drawn from the State Treasury by the Treasurer of the Board within said period, to be six hundred and forty-seven thousand, seven hundred and two dollars and three cents. That the above amount has been regularly drawn by the Treasurer, Mr. Gapen, in nearly equal monthly installments.

That very often, and during several months within the last two years, the whole amount received by him from the State Treasurer, would not be immediately deposited in bank for the payment of checks drawn by him as such Treasurer, but only

a part would be so deposited, and the remainder would be deposited from ten to twenty days later, in sums varying from two hundred to five thousand five hundred dollars. We find many of the checks issued by Mr. Gapen to be made payable to bearer or to J. E. Sullivan, which checks were not issued in payment of bills allowed by the Board of Trustees, or in payment of orders drawn upon the said Treasurer by the President of said Board.

We have had access to no books of the Institution showing the receipts by the Board of Trustees, from products sold or earnings of the hospital, but we find that in some cases in which goods or products were sold or disposed of to persons who had contracts for furnishing supplies to the hospital, the amount of same was charged to said persons on account, or deducted from bills, instead of being collected and paid into the State Treasury.

We have made a careful examination of the daybooks, journals and ledgers kept at the Hospital by Mr. W. H. Wilhelm, assistant book-keeper, and find the work on same very plain and neat. After comparing and checking the accounts therein we find no discrepancies or errors, and the work of Mr. Wilhelm very commendable. We consider him an efficient and capable man for that position.

We find unsettled accounts or outstanding bills against the Hospital February 1, 1889, amounting to seventeen thousand six hundred and ninety four dollars and ninety-eight cents (\$17,694.98), an itemized list of which is herewith submitted and marked Exhibit A.

Much of our time during this investigation has been spent in examining and comparing contracts and bills, requisition and issue books, and in furnishing items and material for use of your committee in the examination of witness, the results of which will appear in the oral testimony before the committee and in the report of the sub-committee.

We have made many comparisons of said contracts and bills to show the amounts of various staple articles ordered and paid for by the Board of Trustees for the maintenance of the Hospital, a few of which are herewith submitted and marked Exhibit B, C, D and E.

Respectfully submitted,

DANIEL LESLEY,
R. F. FULLER.

EXHIBIT A.

ACCOUNTS UNSETTLED FEBRUARY 1, 1889.

81.	Parrot & Taggart.....	\$182 04
20.	A. G. Gates & Co.....	349 00
86.	A. Booth Packing Co.....	710 80
18.	H. H. Lee.....	2,632 60
87.	Henry Coburn.....	148 71
94.	Camplin & Von Hake.....	1 00
32.	A. Kiefer & Co.....	63 00
30.	Daniel Stewart.....	4 25
95.	Hildebrand & Fugate.....	125 89
96.	Ward Bros.....	160 94
13.	D. P. Erwin & Co.....	988 92
10.	Murphy, Hibben & Co.....	21 94
16.	Geo. W. Stout.....	423 98
7.	H. Syerup & Son.....	478 78
4.	Kingan & Co.....	2,709 29
45.	Knight & Jillson.....	693 09
50.	W. B. Burford.....	91 35
51.	Eastman, Schleicher & Lee.....	227 23
52.	H. S. Tomlin.....	673 53
100.	C. J. Gardner.....	1,037 03
103.	Novelty Machine Works.....	1 00
108.	Singer M'f'g Co.....	3 06
112.	W. U. Telegraph Co.....	2 73
88.	Hollweg & Reese.....	16 88
171.	Sander & Recker.....	3 50
55.	Indianapolis Natural Gas Co.....	1,007 87
133.	D. Bryan & Co.....	1,014 54
142.	Hullenboch & Miller.....	32 85
93.	Joseph Gardner.....	62 50
83.	Francke & Schindler.....	6 72
141.	E. C. Adkinson & Co.....	1 50
162.	Buchannon & Reeves.....	520 00
115.	Pioneer Brass Works.....	28 10
104.	J. C. Vaughn.....	82 13
107.	Indianapolis Mall. Iron Works.....	16 76
125.	F. P. Beltz.....	3 15
161.	Indianapolis Glue Co.....	132 00

EXHIBIT A—Continued.

165.	B. H. Myers.....	\$85 00
167.	Barnes, McMurty & Co.....	1,059 56
168.	W. E. Read.....	11 00
216.	Chicago Rubber Co.....	97 20
215.	Humane Restraint Co.....	30 50
214.	Curwen, Stoddard & Bro	89 85
213.	A. M. Dolph Co.....	175 00
211.	Hammondsport Wine Co.....	75 00
210.	Berry Eastwood.....	111 50
209.	Yale & Towne M'f'g Co.....	53 80
208.	Search Soap Co.....	6 15
54.	Indianapolis Gas Co	1,231 76
Total.....		<hr/> \$17,694 98

EXHIBIT B.

*Comparative Statement of Expenses of the Hospital for Fiscal
Years 1887 and 1888.*

MAINTENANCE FUND.

EXPENSES FOR 1887 AND 1888.

1886.			1887.		
December	—	\$28,379 70	November 10	. . . . .	\$2,000 00
1887.			December	—	19,648 48
January	—	26,660 83	1888.		
February	—	26,528 55	January	—	23,309 84
April 19, (for March)	. . . . .	21,475 05	February	—	21,666 66
April 21, (for April)	. . . . .	19,923 28	March	—	22,041 66
May	—	23,761 79	April	—	21,666 66
June	—	24,015 71	May	—	21,666 66
July	—	21,451 25	June	—	21,666 70
August	—	18,043 75	July	—	21,016 34
September	—	19,772 84	August	—	22,316 98
October 20	. . . . .	19,592 85	September	—	20,785 05
October 28, (for Nov)	. . . . .	10,342 14	October	—	21,623 73
			October 31 (for Nov.)	. . . . .	20,591 24

CLOTHING FUND.

1886.			1887.		
December	—	\$2,504 25	December	—	\$1,000 00
1887.			1888.		
January	—	1,640 05	January	—	1,000 00
February	—	1,374 44	February	—	1,000 00
April 19, (for March)	. . . . .	1,435 37	March	—	1,000 00
April 21 . . . . .	. . . . .	537 60	April	—	1,000 00
May	—	1,051 64	May	—	956 90
June	—	2,371 81	June	—	1,043 10
July	—	639 89	July	—	1,000 00
August	—	444 95	August	—	1,000 00
			September	—	777 38
			October	—	784 83
			October 31, for Nov . . .	. . . . .	1,437 79

REPAIR FUND.

1886.			1887.		
December	—	\$4,401 49	December	—	\$1,045 98
1887.			1888.		
January	—	2,563 30	January	—	1,454 02
Februrary	—	1,441 05	February	—	1,250 00
April 19, (for March)	. . . . .	1,621 07	March	—	1,250 00
April 21 . . . . .	. . . . .	1,446 71	April	—	1,234 00
May	—	1,631 92	May	—	1,180 55
June	—	999 73	June	—	1,104 16
July	—	816 01	July	—	1,047 38
August	—	73 34	August	—	1,304 59
			September	—	592 96
			October	—	1,055 34
			October 31 . . . . .	. . . . .	2,481 02

EXHIBIT C.

Comparative Statement Showing Variation Between Amounts of Certain Articles Contracted for, and the Amount of Same Bought and Paid for by the Board.

PRODUCE.

MONTH.	Year.	NAME OF CONTRACTOR.	AMOUNT CONTRACTS.			AMOUNT BILLS ALLOWED AND PAID.		
			Lbs. Butter.	Doz. Eggs.	Lbs. Poultry.	Lbs. Butter.	Doz. Eggs.	Lbs. Poultry.
March	1887	Arthur Jordan	23c	12c	11c	4,481	2,131	868
		Shelby County Creamery (butter)	4,000	2,000	1,000			
April	1887	John E. Sullivan	27c	11c	11c	4,451	3,180	965
			4,000	2,000	1,000			
May	1887	John E. Sullivan	17c	12c	13c	4,892	4,320	764
			4,000	2,000	800			
June	1887	John E. Sullivan	11½c	9½c	11c	3,842	1,910	643
			4,000	1,500	800			
July	1887	John E. Sullivan	13c	10c	11c	3,406	1,740	1,641
			4,000	2,000	600			
August	1887	J. R. Budd & Co	20c	11c	12c	4,893	1,800	468
			4,000	1,000	300			
September . . .	1887	J. E. Sullivan	22c	15c	13c	4,914	2,337	728
October	1887	J. R. Budd & Co	4,000	1,500	600	3,723	1,560	1,359
			4,000	2,000	1,000			
November . . .	1887	Arthur Jordan	23c	19c	10c	5,926	3,308	3,417
			4,000	2,000	1,000			

December . . .	1887	J. E. Sullivan	22c	23c	11c	4,740	2,160	2,480
January . . .	1888	Contract not found	5,000	2,000	1,000	4,125	990	1,178
			26c	18c	10c			
February . . .	1888	J. E. Sullivan	4,000	1,500	2,000	5,490	1,620	2,060
			25c	16c	13c			
March	1888	J. E. Sullivan	4,000	1,500	2,000	4,901	3,400	2,739
			25c	13c	12½c			
April	1888	J. E. Sullivan	4,000	1,500	1,000	4,335	2,572	1,065
			21c	14c	13c			
May	1888	J. E. Sullivan	4,000	2,000	1,500	5,200	3,445	1,584
			20c	13c	12c			
June	1888	J. R. Budd & Co	4,000	1,500	1,500	4,823	2,980	1,501
			19c	12c	12c			
July	1888	J. E. Sullivan	4,000	1,500	2,000	4,502	2,700	3,145
			19c	13c	12c			
August	1888	J. E. Sullivan	4,000	1,000	1,000	5,343	2,940	1,553
			21c	14c	14c			
			4,000	500	2,000			
September . . .	1888	J. E. Sullivan				4,822	3,540	1,738
October	1888	Contract not found				3,860	4,620	1,953
November . . .	1888	Contract not found				6,032	3,036	3,972
December . . .	1888	Contract not found				5,932	3,030	3,972
January	1889	J. E. Sullivan	26c	22c	12c	5,679	2,970	1,264
			4,000	2,000	2,000			
		Total						
		Grand Total						

EXHIBIT C—Continued.

GROCERIES.

MONTH.	Year.	NAME OF CONTRACTOR.	AMOUNT CONTRACT.			AMOUNT BILLS ALLOWED AND PAID.		
			Coffee.	Tea.	Sugar.	Coffee.	Tea.	Sugar.
March.	1887	George W. Stout	3,500	400	9,000	3,414	456	9,935
April	1887	H. H. Lee	3,500	400	8,000	3,279	445	8,400
May	1887	George W. Stout	3,500	400	7,000	3,140	448	8,368
June	1887	George W. Stout	3,500	400	7,000	3,530	404	7,080
July	1887	H. H. Lee	3,500	400	8,000	3,699	461	8,214
August	1887	George W. Stout	3,200	600	8,000	3,414	810	8,863
September	1887	George W. Stout	3,500	400	8,000	3,504	483	9,062
October	1887	George W. Stout	3,500	400	9,000	4,516	704	11,042
November	1887	A. B. Gates & Co	3,500	500	9,000	2,719	1,625	12,746
December	1887	Schnull & Krag	3,500	500	9,000	4,254	764	12,112
		Total pounds	34,700	4,400	82,000	35,469	6,600	95,822
January.	1888	Schnull & Krag	3,500	500	9,000	4,813	956	9,998
February	1888	George W. Stout	1,500	500	9,000	4,343	777	8,998
March.	1888	George W. Stout	3,000	500	9,000	4,032	449	8,997
April	1888	Schnull & Krag	1,500	500	9,000	4,353	777	9,999
May	1888	George W. Stout	3,500	500	9,000	3,760	502	19,014
June	1888	A. B. Gates & Co	3,500	500	8,000	6,584	777	19,736
July	1888	A. B. Gates & Co	3,000	500	9,000	3,955	611	10,868
August	1888	George W. Stout	3,000	600	9,000	3,054	625	9,943

September . . .	1888	George W. Stout	3,000	600	9,000	1,941	780	13,372
October . . .	1888	George W. Stout	2,000	400	9,000	4,516	704	11,042
November . . .	1888	George W. Stout	3,500	600	9,000	2,719	1,625	12,746
December . . .	1888	George W. Stout	3,000	600	9,000	4,254	764	12,112
		Total pounds	34,000	6,300	107,000	48,324	9,347	146,825
January	1889	H. H. Lee	3,500	300	9,000	3,227	751	11,434

EXHIBIT D.

Amount of Coffee, Sugar, Butter, Eggs and Tea Issued to Superintendent's Kitchen for Following Months—Compared.

MONTH AND YEAR.	COFFEE.	SUGAR.	BUTTER.	EGGS.	TEA.
June, 1887	31	143½	87	55½	4
July, 1887	18	124	93	61	8
August, 1887	18½	138½	93	62	5
September, 1887	43	90	73	55½	5
October, 1887	30½	93	63	43½	4
November, 1887	38	116	61	52½	4
December, 1887	44	59	61	48½	3
January, 1888	45	40	78	46	4
February, 1888	13½	24	44	21	. . .
Total for 9 months. . .	281½	828	653	445½	37
June, 1888	200	290	223	192	15
July, 1888	160	376	214	155	17
August, 1888	194	530	212	130	11
September, 1888	180	829	210	141	9
October, 1888	180	423	206	138	3
November, 1888	180	536	244	177	6
December, 1888	190	234	240	198	16
January, 1889	170	115	340	150	. . .
February, 1889	170	110	180	120	8
Total for 9 months. . .	1 524	3,443	1,969	1,401	85

EXHIBIT E.

Showing Amount of Above Named Supplies Purchased and Paid for the Board of Trustees from March 1, 1887, to February 1, 1889.

DATE.	Lbs. Sugar.	Lbs. Coffee.	Lbs. Tea.	Lbs. Rice.	Lbs. Evap. Peaches.	Lbs. Cheese.	Lbs. Butter.	Doz. Eggs.	Lbs. Chickens.	Bu. Potatoes.	Bbls. Flour.	Lbs. Beef.	Lbs. Salt or Smoked Meats.	Lbs. Other Meats.	Lbs. Fish.	Gals. Oysters	Gals. Sweet Milk.	Gals. Butter Milk.	Bu. Green Apples.	Bu. Sweet Potatoes.	Qts. Straw-berries.	
Nov. 1886
Dec., 1886
Jan., 1887
Feb., 1887
Mar., 1887	9,935	3,414	456	512	2,350	.	4,481	2,131	868	737	166	19,317	2,017	790	2,100	130	3,608	1,781	.	.	.	
Apr., 1887	8,400	3,279	445	1,758	9,400	.	4,451	3,180	965	1,061	180	25,419	3,825	1,735	1,019	.	3,825	1,505	123	.	.	
May, 1887	8,368	3,140	448	1,658	2,068	1,097	4,892	4,320	764	1,261	15	26,389	10,800	5,199	.	.	.	.	.	.	.
June, 1887	7,080	3,530	404	1,664	4,920	604	3,842	1,910	643	510	160	19,146	5,654	4,800	5,292	.	6,288	1,802	.	.	\$776 56	
July, 1887	8,214	3,699	461	.	1,584	.	3,406	1,740	1,641	528	160	7,468	1,173	2,877	4,620	.	6,558	1,631	.	.	9,136	
Aug., 1887	8,863	3,414	810	1,127	.	1,215	4,883	1 800	468	1,264	65	6,585	3,702	8,284	.	.	4,173	1,868	201	.	.	
Sept., 1887	9,062	3,504	483	1,399	2,578	.	4,914	2,337	728	751	195	27,383	2,025	6,000	.	.	3,779	1,542	144	lbs. 8,100	.	
Oct., 1887	9,075	3,435	565	1,867	3,853	.	3,723	1,560	1,359	2,754	160	27,972	2,019	146	.	120	3,081	1,577	.	.	.	
Total .	68,997	27,415	4,072	9,985	28,252	2,916	34,602	18,978	7,436	8,866	1,261	159,679	31,215	31,971	31,971	250	31,315	11,706	468	.	\$867 92	\$564
Nov., 1887	10,141	4,100	670	1,534	2,806	.	1,772	540	3,417	551	160	24,115	2,045	234	.	46	3,790	2,079	480	72	.	.
Dec., 1887	9,095	3,435	565	1,867	5,632	.	4,154	2,768	2,480	498	.	9,600	9,600	1,881	.	.	3,808	1,592	.	37	.	.

EXHIBIT E.—Continued.

DATE.	Lbs. Sugar.	Lbs. Coffee.	Lbs. Tea.	Lbs. Rice.	Lbs. Evap. Peaches.	Lbs. Cheese.	Lbs. Butter.	Doz. Eggs.	Lbs. Chickens.	Bu. Potatoes.	Lbs. Flour.	Lbs. Beef.	Lbs. Salt or Smoked Meats.	Lbs. Other Meats.	Lbs. Fish.	Gals. Oysters.	Gals. Sweet Milk.	Gals. Butter Milk.	Bu. Green Apples.	Bu. Sweet Potatoes.	Qts. Straw- berries.
Jan., 1888	8,414	4,813	956	1,460	1,500	1,144	4,125	990	1,178	962	170	28,551	2,623	1,000	. . .	. . .	4,746	1,582	18	. . .	. . .
Feb., 1888	9,993	4,343	777	1,258	5,033	. . .	5,490	1,620	2,060	912	330	. . .	13,787	3,281	. . .	. . .	3,572	1,634	. . .	30	. . .
Mar., 1888	8,997	4,032	49	. . .	4,003	. . .	4,901	3,400	2,739	987	. . .	22,098	. . .	. . .	. . .	. . .	. . .	1,685	90	. . .	. . .
Apr., 1888	9,999	4,353	777	. . .	. . .	. . .	4,335	2,572	1,065	1,063	160	21,156	4,800	1,063	7,370	1,002	4,062	1,728	45	. . .	. . .
May, 1888	9,014	3,760	502	. . .	7,030	361	5,200	2,445	1,584	905	170	22,528	8,296	595	3,075	159	3,926	1,979	75	. . .	. . .
June, 1888	19,736	6,584	777	2,498	1,061	. . .	4,823	2,928	1,501	826	160	22,547	7,127	1,443	3,900	. . .	4,364	1,935	. . .	. . .	. . .
July, 1888	10,868	3,955	611	460	11,450	. . .	4,502	2,700	3,145	768	170	22,025	15,215	577	8,050	. . .	3,912	1,996	. . .	. . .	. . .
Aug., 1888	9,943	3,054	625	1,860	2,630	118	5,343	2,940	1,553	1,551	160	12,790	3,348	1,063	. . .	. . .	4,862	2,288	270	. . .	. . .
Sept., 1888	13,372	1,941	780	1,805	. . .	1,221	4,822	3,510	1,738	467	160	11,296	12,902	1,913	5,075	. . .	5,048	1,988	122	. . .	. . .
Oct., 1888	11,042	4,516	704	959	. . .	1,111	3,860	4,620	1,953	829	165	20,355	15,400	. . .	6,175	327	4,954	1,934	1,050	10	. . .
Total .	130,624	48,886	8,193	13,201	45,292	3,955	58,067	33,223	24,413	10,319	1,805	233,002	94,143	13,050	33,645	1,844	47,044	22,420	2,150	149	. . .
Nov., 1888	12,746	2,719	1,625	825	. . .	1,175	6,032	3,036	3,972	1,146	36	45,852	17,748	452	10	510	2,587	2,143	318	270	. . .
Dec., 1888	12,112	4,254	764	1,438	1,500	1,461	5,932	3,030	3,972	953	180	. . .	. . .	. . .	. . .	. . .	4,945	2,136	1,145	142	. . .
Jan., 1889	11,434	3,277	751	1,064	1,500	1,115	5,679	2,970	1,264	. . .	170	18,549	6,150	193	. . .	300	4,935	. . .	. . .	140	. . .
Total .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .

Joint Committee of Senators and Representatives appointed to investigate the Insane Hospital at Indianapolis, met in room 75, State House, Monday morning, February 25, 1889.

Present: Senators Howard, Hays and Shockney; and Representatives Pleasants, Conn, Fields and Henry.

Senator Hays moved that Senator Howard occupy the chair in the absence of Chairman Burke. Carried.

Mr. Pleasants introduced the following resolution, which was adopted.

Resolved, That William E. Barton be appointed stenographer to this Committee at a salary of ten dollars a day, while actually employed, said employment to consist in the transcription of all his notes upon a type-writer, each day's proceedings to be transcribed and submitted to the Committee on the succeeding day.

Chairman administered the following oath to the stenographer:

"You, William E. Barton, do solemnly swear that you will support the Constitution of the United States, and the Constitution of the State of Indiana, and that you will faithfully and correctly take down in short hand the proceedings of this Committee, including testimony of witnesses, and correctly transcribe the same on a type-writer for the use of this Committee, and that you will honestly and impartially perform all other duties required of you as stenographer of this Committee, so help you God."

Senator Howard then submitted the following report from the sub-committee on Order of Business.

RULES OF BUSINESS.

MR. CHAIRMAN:

Your sub Committee on the Order of Business recommend:

1. That the Committee be recognized as permanently organized with Senator Burke as Chairman, and Representative Fields as Secretary, under the joint resolution of the General Assembly for the investigation of the Hospital for the Insane at Indianapolis.

2. That the meetings of the Committee be held at the State House, in room 52; to which room all books of account,

vouchers and other papers connected with the business of the Hospital shall be brought, and where witnesses shall be examined.

3. That the full Committee, with stenographer, meet every day at half past one o'clock, and at such other times as the Committee shall fix, at which time the Committee will hear the testimony of such persons as the Committee may from time to time direct.

The Doorkeeper of the House shall be requested to detail officers from his force to serve process and guard the doors of the Committee, to serve without additional pay, except that the actual expenses of such officers shall be paid.

4. Witnesses shall be sworn by the Chairman, and be examined by the Chairman and by a sub-committee consisting of Senator Hays and Representative Henry; but any member of the Committee may at any time ask the witness any question, only so as not unnecessarily to interrupt the examination.

Counsel may be present if desired by any person under investigation, but shall not question witnesses nor address the Committee.

5. Representative Pleasants and Senator Shockney will form a sub-committee to examine books of account, vouchers, bank accounts, account with State Treasury and all other accounts and papers of the Board of Trustees or any member thereof. They will sit during the recess of the committee, and shall be aided by two non-partisan expert accountants. They will report to the committee from time to time such matters as they shall deem necessary.

6. Representatives Conn, Fields and Brown, and Senator Howard will form a sub-committee to proceed to the Insane Hospital and examine in detail into the management of the Institution, the condition and treatment of the inmates, the food, clothing and other supplies, and such other matters as they may find necessary. They will also sit during the recess of the committee and bring before the committee such matters as they may deem proper. They may employ such experts as they may deem necessary to assist in the examination of the hospital, such experts to testify before the full committee.

7. Any of the sub-committees may have the services of the stenographer when necessary; but all evidence shall be taken before the full committee in the State House, except in case of necessity.

The stenographer and experts shall be duly sworn before entering upon their duties.

8. The character of the investigation and of the examination of the witnesses, shall be such as to bring out fully the true condition of the hospital, not in a partisan but in a judicial spirit; the inquiry not being for the conviction nor for the acquittal of any person, but that the truth may be made known to the people of the State.

9. The witness under examination and the Trustees and officers of the Institution, and their counsel, if they desire any, and the representative of the press, shall be admitted to the meetings of the committee.

10. The Chairman, subject to appeal to the committee, is charged with the observance of this order of business:

As the first step to be taken, your sub-committee recommend that a subpœna, in the following form, be issued at once :

“STATE OF INDIANA,
“MARION COUNTY, } ss:

“The State of Indiana to Frank D. Heimbaugh, Doorkeeper of the House of Representatives of the State of Indiana, Greeting:

“ You are hereby commanded to summon Philip M. Gapen, Treasurer of the Board of Trustees of the Indiana Hospital for the Insane at Indianapolis, to be and appear before the Joint Committee of the General Assembly appointed to investigate into the condition of said Hospital, at Room 52 in the State House, at Indianapolis, on Monday, February 25th, in 1889, at 4 o'clock P. M., there to testify before said Committee as to the condition of the affairs of the said Hospital, and to bring with him all cash books, bank books, and all other books and papers necessary to show the financial condition of the Institution, and covering the period of his incumbency of said office of Treasurer of said Board of Trustees; and of this that he fail not at his peril.

“ Witness my hand at the State House, Indianapolis, Indiana,
this 25th day of February, 1889.

“Chairman.”

All of which, Mr. Chairman, is respectfully submitted.

T. E. HOWARD,
For the Sub-committee.

Mr. Pleasants moved the adoption of the Rules for the Order of Business, as amended. Carried.

Senator Hays moved the adoption of the following resolution :

“ *Resolved*, That the Superintendent of the Central Indiana Hospital for the Insane be, and he is hereby requested and directed to furnish, under oath, to this Committee, immediately, a complete list of the inmates of said Hospital at this time, which list to be arranged by wards, and the names of the inmates of each ward arranged in alphabetical order, showing date of admission and residence of each patient; also, names and residence of all patients who have died or were discharged since October 31, 1888;

“ And the said Superintendent of the said Central Indiana Hospital for the Insane is hereby further ordered to furnish, under oath, this Committee a complete list of the present employes of said Hospital and date of employment, and salary of each employe, and how employed.”

The same was adopted.

Committee adjourned to meet at Room 52, at 4 o'clock P. M., this day.

MONDAY, Feb. 25, 1889.

Committee met at 4.45 P. M., Senator Burke in the Chair.

Mr. Philip M. Gapen, being duly sworn, testified as follows, in reply to questions by Messrs. Burke, Hays, Shockney, Fields, Howard and others of the Committee:

By Representative Henry :

Question. Mr. Gapen, how long have you been connected with the Insane Hospital?

Answer. For nearly six years.

Q. Who were the officers of the Board when you were first elected?

A. You mean the old officers? They were Dr. Stein, Tarleton and Fishback.

Q. When did all their terms expire?

A. They expired the 1st of March, I think, six years ago.

Q. Who succeeded them?

A. Dr. Harrison, as President of the Board.

Q. And the other members?

A. Myself and Dr. Tarleton remained for two years longer.

Q. When you were first elected, who were the officers?

A. You mean the Secretary and Treasurer? Dr. Tarleton was Treasurer and I was Secretary.

Q. How long did you continue as Secretary?

A. I do not remember how long; I think about a year.

Q. Who are the present officers?

A. Mr. Burrell is Secretary of the Board and I am Treasurer.

Q. How long have you been Treasurer and he Secretary?

A. I cannot state how long, I think it has been about five years.

Q. Was not Mr. Burrell elected in 1885, to succeed Tarleton?

A. Yes, but how long Tarleton served, I do not know.

Q. You are at present Treasurer and he is the Secretary?

A. Mr. Tarleton is the Secretary, yes sir.

Q. How long have you been Treasurer?

A. I think about five years.

Q. And you hold that position at this time, do you?

A. Yes sir.

Q. You stated that you could not get the bank book.

A. I got the bank book, but it is not up to date.

Q. What books do you keep yourself?

A. None of them. I just keep the bank book, or the bank keeps that.

Q. How are the books kept at the Institution?

A. They are a double entry set of books.

Q. Are those books numerous, large?

A. Yes, they are a large set of double entry books; I think about ten quires to each book, the ledger and journal.

Q. How many volumes are there that reach back through the six years?

A. That I cannot tell.

Q. I just want to get an idea of the number.

A. I think they have used two sets of books in the six years. I will not state that positively, as I do not know.

Q. The proportion is, that you use one set every three years?

A. Yes sir, but I cannot state positively what it is.

Q. How do you transact the business of that Institution; how do you purchase and pay for the supplies?

A. In the first place, the law requires us to make out a schedule of what we want, or a requisition book.

Q. Speak definitely. When you say "us," whom do you mean?

A. The Board of Trustees; we make out a requisition book of what is wanted. We place that book here in Room 25, and advertise in the papers that the book is there, and call for bidders. The bidders then come in and make their bids for whatever is on requisition, and the lowest bidder gets the bid. This system has been practiced ever since I have been there.

Q. The bids are all sealed?

A. Yes, sir.

Q. Where is room 25?

A. It is a room we have in this building.

Q. Are these requisitions by the officers of the Institution; are they in writing? The estimates?

A. They are all in writing.

Q. Where are they, the requisition books, now?

A. At the Asylum; we keep them.

Q. Are these estimates that you make your bids upon—are they copied from the books?

A. Each one makes out his own requisition, each department.

Q. I understand that to be for every month; is it?

Q. Yes, sir, every month.

A. The officers of the Institution give you an estimate of the necessities required for the Institution, every month?

A. Yes, sir.

Q. Is that estimate in writing?

A. Yes, sir.

Q. Where are they, are they preserved?

A. Yes, sir.

Q. Where can they be found?

A. At the hospital.

Q. Is there a book kept there for the purpose of recording these?

A. There is a book, yes, sir.

Q. What is it called?

A. We call it the Requisition Book. It is a monthly pamphlet of ten or twelve pages. Say you want a dozen gross of eggs, that will come on the first page. If you want sundries,

they will come on the second page; dry goods on the third and fourth pages. Then each individual dry goods man comes in and bids on the dry goods; commission men, on flour and potatoes; butchers, on meat, etc.

Q. Do these estimates contain the meat?

A. Yes, sir. You put it in this way: Say you make out your estimate for three thousand pounds of beef, same as last. We describe the kind of beef we want, and how it is to be trimmed up. We preserve the bids of each one. Say you come in and bid on meat, I bid on meat, and Dr. Harrison bids on meat. It all shows who is the lowest bidder. One bid is accepted and the others rejected.

Q. How are these supplies paid?

A. Monthly.

Q. In what manner are they paid?

A. They are paid for with checks.

Q. How do you know the goods are supplied to the institution?

A. I know when the Superintendent receives the goods; and from the storekeeper who stores them.

Q. The Superintendent receives and receipts for the goods?

A. Yes, sir, he receives and accounts for them. They have a voucher which they make out, and they are sworn to the correctness of it—the Storekeeper, Assistant Storekeeper and Superintendent.

Q. And upon the voucher issued by the Superintendent, you, as Treasurer, draw the warrants; or do you pay for the provisions?

A. I pay for them; but a warrant for the amount is drawn by the President of the Board. You have your papers all sworn to by the parties that furnished them, and of course that is compared with their bid found correct by the Storekeeper and Assistant Storekeeper, who receive the goods; and if the voucher is right, then we make out a voucher and draw from the State Treasury that amount of money; and at the time, we make out checks for that amount of money, not a cent over and not a cent less. That amount of money is placed in the bank and delivered to the parties.

Q. Now, you only draw out of the Treasury, that is the State Treasury, a sufficient amount to pay the current indebtedness of the Institution?

A. That is all.

Q. You take that into your office, as Treasurer; and, as these vouchers are certified to the Board, if found correct by comparison with the bid, and bill, then you pay the money there, in actual cash, or by check upon some of the banks?

A. Always checks.

Q. Is there much competition in these bids?

A. Oh, yes; yes, sir.

Q. Now, Mr. Gapen, all that the Trustees know about this matter is that they receive the bids of parties, or of different men in different classes of business, to supply a particular article to the Institution for the current month?

A. Yes, sir.

Q. That bid is based upon the estimates, and they have nothing more to do with the receiving or the using of this property until the warrants or certificates are sent to the Board of Trustees by those in charge of the Institution?

A. That is right. We have nothing to do with receiving goods, or rejecting any goods out there. We simply buy, and state the class and kind of goods we want, and it is the place of the Superintendent and Storekeeper and Assistant Storekeeper to see that those goods come up to the requisition.

Q. Have the appropriations been sufficient to pay the current expenses?

A. No, sir.

Q. When did deficiencies first arise?

A. I think we have had a deficiency there for over two years.

Q. For the past two years?

A. Yes, sir.

Q. Prior to that time the appropriation was sufficient to cover the expenses?

A. Yes. I will explain that. Each appropriation that was made was on the basis of 1,200 patients. We frequently have as high as 1,600; we have on an average of over 1,550 patients there all the time. And things have advanced in the last two years I suppose five or ten per cent., I do not know. Coffee has gone up, sugar is higher, flour is higher than two years ago, and it runs short.

Q. The Asylum has no revenue from the Institution?

A. Oh, yes.

Q. What is the revenue?

A. I suppose it will average \$75.00 a month.

A. From the sale of vegetables of different kinds and flowers.

Q. By whom are those sold?

A. By the Superintendent and Steward.

Q. Where does the money go?

A. Into the State Treasury.

Q. Is it turned into the State Treasury?

A. Yes, sir.

Q. Whose duty is it to make the requisitions?

A. The Superintendent and Storekeeper's. They are to make out a full list, a full requisition, once a month.

Q. How many Storekeepers are they?

A. One, and an Assistant.

Q. I understand that you said the Board of Trustees did not know whether the goods were delivered, or how much were delivered; that the Board was simply concerned with examining the bids, making the award, and making payment afterward by checks?

A. That is the end of the Board's duty.

Q. Does the Board take any means of knowing whether the goods bought are delivered?

A. Oh, yes, we frequently inquire about it; but it is not our duty and the law does not make it our duty.

Q. You keep constant watch and guard?

A. Oh, yes, sir.

Q. Do you make it your duty to examine food, and the general condition of the Institution?

A. We frequently do that.

Q. Do you mean to say that the Board of Trustees never make examinations of the goods, to know whether the amount bought are delivered or not?

A. I do not say that; they frequently examine the goods. I am out there frequently and examine the goods; and the instructions are that if the goods do not come up to the sample they are not to be accepted.

Q. Do you trust the storekeepers to go and attend to this business?

A. They are examined by the Superintendent and Storekeeper. The Superintendent has to certify to all these bills, that they are correct and right.

Q. In addition to his other duties, the Superintendent can not devote much time to that, can he?

A. Not a great deal. He has to have foremen for all those things whom he can rely on. It is like running any other large institution; the Superintendent can not attend to all of it, by any means.

Q. Mr. Gapen, in making out these requisitions for the month's supplies, is the money drawn for the month in advance or is it drawn after the goods have been supplied and exhausted?

A. Not until the goods have been received and partly exhausted. The last Friday of every month, usually, we buy \$20,000 worth of goods. Some of these goods will be left on hand. These goods are paid for. We meet the first Tuesday after the first Monday in every month and pay for these goods. We draw just the amount that we have bills and vouchers for, and no more and no less. Say there is \$20,000 worth of goods furnished this month; we pay for those goods next month.

Q. You always pay after the goods are delivered?

A. Yes, sir; about thirty days a bill will run.

Q. In requiring your bids, do you require them to be made, so much a pound, potatoes so much a bushel?

A. Yes, sir.

Q. And then, when the goods are furnished and the vouchers are furnished to the Board, you draw your check for the money?

A. Yes, sir.

Q. Do you keep all bids?

A. Oh, yes.

Q. The rejected and accepted bids, too?

A. Yes, sir; the whole thing.

Q. Do you know, or have any way of finding from the estimate made by the Superintendent and Storekeepers, whether the estimate is correct, or do you take any notice of that?

A. Yes, sir; you can only judge by watching the business from one month to another. It is generally supposed that the Superintendent and Storekeeper knows what is needed, and they make requisitions for what they want.

Q. I see, in your report, you make the amount per capita about \$170 per year?

A. Yes, sir.

Q. That includes the entire expense of the patient?

A. All except clothing and repairs.

Q. It simply, then, includes food?

A. Food, carpets, furniture and everything in the Institution.

Q. This includes the entire expense of the Institution?

A. Yes, sir; not clothing. There is a special appropriation for clothing. Sometimes I think we have run it down as low as \$158 per capita. It runs from \$158 to \$170 or \$175. I believe the highest was \$194.

Q. Do you think any person could estimate on a scientific basis how much coal would be necessary to run the boilers?

A. Yes, sir.

Q. How many boilers have you?

A. Twelve, I think. We used a great deal of fuel in grates and stoves, and in the laundry and ironing room, and things of that kind. We are using natural gas now, and do not use any coal at all.

Q. You have a contract for natural gas for the institution?

A. Yes, sir; eleven thousand dollars a year. Formerly, it cost about twenty-two thousand; we got a reduction of about one-half.

Q. You let your bids for coal the same way as everything else?

A. Yes, sir.

Q. How long are these requisitions placed in room 25, so that people can bid on goods?

A. Four or five days. I think they are put there on Monday. They are placed on the table with samples for bidders to come and see. The janitor here takes care of them.

Q. Do you advertise?

A. Yes, sir. We advertise every month. Say you want 20,000 of ladies' hose. These, on the requisition, we call by something for the bidders to make out the kind, quality, etc. If we want 1,000 yards of Utica Muslin; for that, of course, we do not need a sample, everything of that kind goes in the brand.

Q. Supposing you include the dry goods bid in one bid?

A. No, sir; we have two bids. We have one on a kind of calico that is charged back to the patient or the county, and then there is one on a kind that is for sheets, and making mattresses, ticking, etc.

Q. Is there any percentage of rebate to any of those parties that supply the institution with the necessities or needs, on account of cash payments?

A. No, sir.

Q. Or commissions or anything of that kind paid?

A. No, sir; no commissions nor rebates, nor anything of that kind; nothing.

Q. Is it the custom of the Board to take all of those bids and examine them in session of the Board, and decide upon them at one time?

A. Yes, sir. We decided on them all at the same time. We opened all bids and placed each class to itself, three bids for groceries; sundries to themselves; dry goods to themselves; boots and shoes, flour, crackers and everything of that kind.

Q. Each bidder signs his name to his bid?

A. Yes, sir. They make out a regular bill of everything, and the price.

Q. Were there many bidders for these articles throughout the county, for produce and dry goods?

A. Well, we have but two dry goods houses here, and they both bid. We have several grocery houses, but they do not all bid.

Q. How many dry goods houses bid, you say?

A. Two. Sometimes they forget it and let it go over. We have had them to come in after we have opened the bids, and bid; and, in that case, we always reject the bid.

Q. You say there are several grocers?

A. Yes; three or four or five that bid regularly. Sometimes we bought of Lee, sometimes of Stout, sometimes of Schnull & Krag, and sometimes of A. B. Gates. We could not regulate that, it was with the lowest bidder.

Q. Is there any difference in the kind of goods supplied on the bids? Were there any deficiencies?

A. I do not see how there could be. There are the samples, and they have to bring their goods up to those samples; and if not, the goods are rejected.

Q. The Storekeepers and Superintendent pass upon them, do they?

A. Yes, sir.

Q. Do you advertise for bids?

A. Yes, sir.

Q. And require that they furnish a sample with each bid?

A. We furnish the sample ourselves. Say we want coffee. We go and get a sample of the coffee we want, and we leave the sample in Room 25 for examination, and ask their bid on the sample.

Q. After you do that, what do you do with the sample?

A. We keep it and take it out to the Hospital, and as the goods come in, they are examined with the sample. Some goods are sold on the brand. Say we want 300 pounds of Star tobacco; we just put it in 300 pounds of Star tobacco.

Q. You say that the first deficiency, where the appropriation was not sufficient to meet the current expenses of the Institution was about two years ago?

A. I think so; yes, sir.

B. That was under the management of the present Board; and they had been managing the Institution for how many years?

A. About four.

Q. And they have had charge of the Institution for six years?

A. Yes, sir.

Q. The same Board that have it now?

A. Yes, sir. When we went there, there were 1,085 patients; and now there has gotten to be on an average of 1560. Of course that increases the amount of expenses.

Q. This increase was gradual, was it not?

A. Yes, sir. Oh, yes. I think the first four years we turned back money into the State.

Q. Has it fallen off any by reason of the completion of the new Insane Asylums?

A. The patients? No.

Q. How many of the new asylums are occupied?

A. One, at Logansport.

Q. The one at Logansport is largely occupied by inmates from the county poor houses, is it not?

A. Yes.

Q. Do you do your business as Treasurer with one bank?

A. Yes, sir; the Meridian National Bank.

Q. How do you draw the money from the treasury?

A. Once a month. Only once a month.

Q. You have no money in your hands except as you draw it from the State Treasury?

A. That is all.

Q. How do you say you determine how much to draw?

A. By the amount of bills.

Q. How do you get those bills? How do you determine what the amount of those bills is?

A. They are made out and brought over to the office of the Treasurer.

Q. Are they brought promptly to you?

A. The Storekeeper gathers them up.

Q. How do you, individually, ascertain how much money will be needed?

A. The bills are there and the amount is footed up. The Storekeeper does that.

Q. You get your information from the statement of the Storekeeper?

A. Yes, sir.

Q. What personal knowledge have you outside of what the Storekeeper states each month?

A. By the bills that are furnished. They bring the bills of the different parties, and we go over the bills.

Q. What means have you of ascertaining that the bill is correct? How do you guard this against any mistake and determine whether the things have been furnished?

A. It is just like this: The Storekeeper and his Assistant go over all those bids.

Q. Have you any way of knowing, then, whether they are correct?

A. Certainly; by examining the bills and footing them up, and seeing that the extensions are right.

Q. That depends upon the face of the bill itself?

A. Yes, sir.

Q. What means have you of knowing whether the goods have been delivered?

A. You can only get at that by the men that furnish the goods. They furnish it with an oath, and swear that they have done it. I am not there to receive the goods; I have no right to receive the goods.

Q. You rely wholly upon the affidavit of the person that furnishes the goods, and the endorsement of the parties that they have received them?

A. Certainly.

Q. If they collect for twenty thousand dollars, when you get these goods, are their receipts filed with the goods?

A. They receipt them up before they are paid. They file their bill and file their receipt.

Q. After they thus call for twenty thousand dollars you draw that much from the Treasury, in check or currency?

A. Sometimes one way, and sometimes another. I go to the Auditor of State and he gives me a warrant on the Treasurer. Sometimes the Treasurer gives me currency and sometimes a check, and I deposit it in the bank. The checks are made out before the money goes into the bank. We do that all at once. We make the checks for those several amounts. Say you have one hundred parties furnishing goods. You make out one hundred checks, issue each one of these first, and a check to the Superintendent for his pay-roll, or for his three pay-rolls. He has a clothing pay-roll, a repair pay-roll, and a general pay-roll of the Institution. You give him his checks for the full amount of the pay-roll.

Q. He gets his amount in one check?

A. Three checks.

Q. Why do you require these bills to be receipted?

A. Well, we found it that way when we went there, already made out and receipted.

Q. Just following up an old custom?

A. Yes.

Q. How is it that you draw the checks upon your account as Treasurer sometimes before the money is there?

A. We always do that.

Q. Why do you do that?

A. To finish up the business while we are there. Then when I draw the money and place it in the bank, I sign the checks to the parties it is coming to.

Q. You do not deliver any checks until after the money is there to meet them?

A. Certainly not, because sometimes we may come in and the State Treasurer is out of money. We then simply hold the checks until he gets the money.

Q. By drawing the checks you do not mean that you deliver them?

A. No; we simply draw up the checks and hold them until the money is put in bank.

Q. You pay everything by checks paid when issued?

A. The Superintendent has a contingent fund of two thousand dollars.

Q. Do you have anything to do with that?

A. No, sir; only to make that amount up to him every month—two thousand dollars. The use that is put to is absolutely necessary. Say an employe goes away. He will pay this employe out of that contingent fund. At the Board meeting say we spend \$250 out of that; we make that up to him, and the first of every month he has his check for this money.

Q. Is there \$250 or sometimes \$1,000 paid out a month?

A. Yes, sir. The Superintendent gives a check for it and it is issued in his own name. We make him his allowance once every month, and he pays everything by check. Some Superintendents do that way, but others draw a voucher and go to the bank and draw the money and pay it out instead of by check.

Q. What is the method of the present Superintendent?

A. He pays by checks. Say his general pay-roll is seven thousand dollars. Well, there is a check made to him for seven thousand dollars, and that is deposited in the bank to his credit as Superintendent. Then he makes his checks from his pay-roll, which come out just even with that amount of money, and his clothing pay-roll the same, and his repair pay-roll the same.

Q. How much money is usually drawn by them that is paid out by the Superintendent on this accidental expense account?

A. Sometimes one amount and sometimes another.

Q. Average how much?

A. I can not say; from \$200 to \$1,000.

Q. About how much would that amount to in a year?

A. Well, it would only—interrupting

Q. Ten thousand a year?

A. Well, I would think so, yes, sir.

Q. And that, he keeps his own account for?

A. Yes, he keeps his own account of that contingent fund, and we make it up once a month to two thousand dollars. Say

a load of potatoes comes along, if he needs them he will buy them.

Q. The Superintendent now gives a check for anything of that kind?

A. Yes, sir.

Q. And keeps vouchers?

A. Yes, sir; he makes out a monthly statement for every month.

Q. You spoke of the Superintendent's pay roll for three purposes—repairs, etc?

A. The general pay roll, and then a repair pay roll and a clothing pay roll—that means the sewing room.

Q. Is that included in the amount you draw from the Treasury each month?

A. Yes, sir; everything is included in that amount.

Q. When you draw that from the bank, you give a check to the Superintendent?

A. Yes, sir.

Q. What means have you to ascertain whether that is correct?

The pay roll. We examine it and if there is anything we do not understand we ask the Superintendent. The money I draw goes to the Superintendent and he pays that pay roll.

Q. Which also pays for clothing?

A. No, sir.

Q. What does that pay roll amount to per month?

A. The general pay roll is something like \$7,000.

Q. The amount that is turned over to the Superintendent each month?

A. I would say \$7,500.

Q. What steps do you take to see that this money is only paid out on proper accounts?

A. The pay roll is receipted to us.

Q. Who receipts that?

A. The employes, themselves.

Q. Whom do you mean by "us"?

A. I mean that it is receipted when it comes to the Board; when it comes for examination and passing upon it.

Q. How do you know about the other items of moneys that goes through the hands of the Superintendent?

A. Do you mean the contingent fund?

Q. No; the money you pay to him. What means have you of testing whether that money is properly paid out?

A. We have his word.

Q. Nothing but his word?

A. We have his word for it, and there is the pay roll all receipted.

Q. The pay roll is only part of it?

A. If it was not paid out you would hear from it very quick.

Q. Do you understand that there is any part of that expenditure for any other purpose than the pay-roll?

A. That is all.

Q. That is outside of the two thousand dollars?

A. Yes, sir; that two thousand dollars is a distinct and separate fund.

Q. I understand that there were three items representing the money turned over to the Superintendent for the pay-roll?

A. Yes. There is a pay-roll of \$7,000, with what we call a main pay-roll. The clothing pay-roll is \$250.

Q. What do you mean by the clothing pay-roll?

A. That is the sewing room. This money is appropriated to another fund. There are three separate and distinct funds: The clothing fund, the general fund, and the repair fund.

Q. So you draw \$250 for the pay-roll on the repair fund? Have you any receipt or receipts of the Superintendent as to whether the amount he draws for the repair fund is correct or not?

A. No; we have the pay-roll, which is all we can go by.

Q. And by the pay-roll you mean the receipt of the person who does the work?

A. Yes, sir.

Q. It is the receipt of the person to whom the money is paid?

A. Yes, sir. If you are an employe there is your name on the pay-roll for fifteen dollars. You look to the Superintendent for your money.

Q. Then the rest of the money is checked out to those parties who have filed their vouchers with you?

A. Yes, sir.

Q. You would have no money in the bank, as Treasurer, except what has already been checked for before it was put there?

A. No, sir.

Q. What have you been drawing for the last twelve months, per month?

A. One-twelfth of the entire appropriation, \$21,666.66.

Q. Each month, for the last twelve months, your vouchers have covered the entire amount of what you were entitled to draw from the treasury?

A. Yes, sir.

Q. What is the amount of the deficiency in money, bills and paper on hand, for which you were unable to get the money at the end of each month?

A. I think the amount is in doubt—about twelve, thirteen or fourteen thousand dollars—somewhere along there. It has been accumulating for the last two years. Different parties carry it. Say we furnish produce this month, we pay you. If you furnish next month, we bring some other fellow up.

Q. And drop them out from month to month?

A. Yes, sir. If you get money this month, next month you drop out.

Q. Do you remember the amount of the deficiency on bills presented for last month, that you were unable to pay on account of the appropriation being too small?

A. No, sir.

Q. Do you remember what the deficiency was this year?

A. I think the indebtedness was from twelve to fourteen thousand dollars.

Q. You keep your bills separately?

A. Yes, sir.

Q. The deficiency has been gradually accumulating for the last two years?

A. Yes, sir.

Q. Can you tell to whom this twelve or fifteen thousand dollars is due?

A. No, sir. It is due to different parties. The books will show it. The regular amount shows all we owe.

Q. Are not all of the accounts very old?

A. No, sir. I do not believe there is a bill there that is 60 days old.

Q. All of this deficiency in bills outstanding would be in bills presented for the last two months?

A. Yes, sir.

Q. The present deficiency is made up of bills that have been made in the last sixty days?

A. Yes, I should think so.

Q. Then there is really at the present time, or was two months ago, a deficiency of twelve or fifteen thousand dollars, that you are unable to pay from money that you are drawing from the Treasury?

A. Some we can pay in full, others we can not.

Q. What is the difference in the cost of running that Institution different months in the year?

A. Well, in former years, in the winter time was the most expensive, which was on account of coal.

Q. Is there any difference, now, between winter and summer?

A. Yes, sir. In the summer time we raise most of our own vegetables; in the winter time we have to buy them. Now we have to buy potatoes, apples and everything of that kind. In the summer we do not have to buy these.

Q. How much difference is there in the cost of running in the winter and summer months?

A. I can not state exactly, but it is considerable of a difference. In the summer months we sometimes buy 200 tons of coal, and in winter sometimes as high as 2,500 tons.

Q. If there is a considerable difference in winter and summer cost of running the Institution, why is it necessary to draw the full monthly allowance every month?

A. You can not draw over that.

Q. I know; but if it is enough in the winter why is it not too much in the summer?

A. Well, it is not enough in the winter. I think last November our indebtedness was more than \$9,000, that is my recollection, and in the winter months it has been increasing. Another thing that increased our debt was putting in natural gas, which threw us behind, that coming out of the repair fund.

Q. You save on fuel fund about ten or twelve thousand dollars a year, do you?

A. Yes, sir, about eleven thousand. Last year it cost \$22,000, now running on \$11,000.

Q. When did you put in natural gas?

A. I think in November of last year.

Q. You have a clothing fund of \$12,000 a year?

A. Yes, sir.

Q. To whom is this paid by the Treasurer?

A. It goes to the parties that furnish the goods.

Q. It comes from the State, the twelve thousand dollars?

A. Yes.

Q. Now, who handles that?

A. It is in the State Treasury. We take a voucher in and get it.

Q. Do you handle it, or the Superintendent?

A. I handle that the same as the other.

Q. You turn that, however, over to the Superintendent?

A. No, no part of it. I pay the bills with that. You see, we buy dry goods, boots and shoes, hats and caps, on account of clothing. They bring regular vouchers, and we wake them a regular check, just the same as on the maintenance fund.

Q. That is all kept by yourself?

A. Yes sir.

Q. Do you exceed that fund?

A. Pretty near it.

Q. Are not clothes furnished by the parents and friends of patients?

A. They are, a few.

Q. When they are sent there for three or four months, don't they have clothing?

A. Yes sir. The law requires a certain amount of clothing with each patient.

Q. How long does that last?

A. Sometimes about three minutes, for some of them tear it up; others will wear it as long as you or I.

Q. Who is the present Storekeeper?

A. Mr. Hall. He has been here for the past five years. Mr. Hein is his Assistant.

Q. Is there one man whose business it is to receive supplies, and to keep account of the amounts and quality?

A. That belongs to all of them; that is under the Superintendent's supervision.

Q. The Trustees and you as Treasurer, pay no especial attention to that inspection?

A. The Superintendent is accountable for all that.

Q. How often have you been present at the Institution during the past two years?

A. I believe on an average of twice a week.

Q. Do you just go out there and visit and come away, or do you remain?

A. I do not remain; I may go out in the morning or afternoon, and come back in the afternoon.

Q. Do you know of your own knowledge how many patients there are there?

A. Only from the report of the Superintendent.

Q. You have never made an examination to see if that was correct?

A. No, only to make a guess how many there were on each ward.

Q. Have you ever made an examination to see if there were that many on the ward?

A. No sir, I never counted them.

Q. How many on a ward?

A. Forty eight, I believe.

Q. That includes males and females?

A. Yes sir. The Superintendent makes a report to us.

Q. Does he furnish the names, etc.?

A. No sir, he just furnishes the number.

Q. There is a register containing the names, and after each name residence, references, etc.?

A. Yes, sir.

Q. The register shows their discharge?

A. It shows the admitted patients and discharged patients every month. He makes a large report, with postoffice address, telegraph address, and express address, and everything of that kind.

Q. Have you any moneys in your hands, belonging to the Institution or to the State?

A. No, sir.

Q. You charge the Institution with thirty odd thousand dollars for groceries, oysters, mackerel, seed potatoes, and things of that kind. Under the item of potatoes, there is some ten thousand dollars in addition to the item of thirty thousand dollars to produce. I ask you if you know why this distinction is, and why you make a distinction between produce and potatoes, oysters and mackerel, and things of that

kind. The items for produce amount to something like thirty thousand dollars, also you will find items for seed potatoes and various other items. What is produce, if you know?

A. Produce is butter, eggs and things of that kind.

Q. Was there no item of butter in your report?

A. No, sir; it is in the produce.

Q. Is produce exclusively butter and eggs? Are not butter, eggs, chickens, fowls and things of that kind, produce. I find various items of oysters, canned beef, market and seed potatoes, and things of that kind. What are groceries?

A. Tea, coffee, sugar and canned goods, etc.

Q. Have you any items of canned goods in the report?

A. One in the grocery bill. No separate items of canned goods.

Q. Is not canned beef canned goods?

A. I think that goes in the meat bill. I have no recollection of there being any canned beef.

Q. Under the various items of meat, the amount is some thirteen thousand dollars. Then under the item of beef there is something like five thousand dollars. What is meat?

A. That is beef.

Q. But you have different items for beef; under the item of beef, thirteen thousand dollars, and then different items for beef?

Q. Meat there is beef.

Q. You have different items for beef, that is, bacon, ham, lamb, sausage, and things of that kind.

A. Those items of bacon, ham, sausage, are in produce. They come in under the head of bacon meat. We make and use articles like these: 30 pounds of beef, so many pounds of side meat and breakfast bacon, so many pounds of lamb.

Q. And you put these items all under the head of meat?

A. No, they are separate bids.

Q. Are they reported separately, or are they reported as meat?

A. They are reported as meat.

Q. And produce, you say, includes, butter, eggs and fowls?

A. Yes sir.

Q. Does the item of groceries include fish, mackerel and oysters?

A. No sir.

Q. Simply includes coffee and sugar, no other items?

A. Everything pertaining to groceries, that are usually kept in a grocery store.

Q. As fish and bread and teas?

A. They usually go with oysters.

Q. Under the head of groceries you simply mean to include sugar and tea and coffee and canned goods?

A. Yes sir, and dried fruits.

Q. Would you include peaches and apples?

A. Dried, yes sir; but not green peaches, apples, etc.

Q. What would you include under the head of grocery sundries?

A. That is for the laundry. Sal-soda, soaps, potash, etc.

Q. You have different items for soaps?

A. Yes sir.

Q. Then you include it in grocery sundries?

A. Yes sir.

Q. Does your report not show two separate items for soap?

A. I think not: it may sometimes. We make a soap bid for this kind of soap that this man Hunt furnishes, as we manufacture soft soap out of it there. This is not a pure soap, but it is an article that we call soft soap, and it is used for making soft soap out of, for washing clothing and things of that kind; but the other soaps go under the head of grocery sundries.

Q. There is no separate item for pure soap?

A. No, that goes in grocery sundries.

Q. Is there anything else in grocery sundries except soap?

A. There is sal-soda, potash, borax and several things I do not remember.

Q. How do you make up this account?

A. From the books.

Q. From what source?

A. From bills rendered.

Q. You take the account as it stands in the book?

A. Yes, sir; our books are double entry, and we have got to square up all accounts.

Q. Do you ever pull from under one, and relieve another?

A. No, sir; they are kept straight.

Q. Do you ever notify bidders when they are making bids, that there is a deficiency?

A. No, sir.

Q. When they bid, do they understand they are to get cash?

A. I do not know; have never had any trouble; only at one time when we did not get any one from the State Treasury for about two months, they all began to inquire and wanted to know why bills were not paid.

Q. Have you no means of finding what the first deficiency was, and how it was paid?

A. Yes, sir.

Q. What have the Board of Trustees construed the statute to mean, where it says you shall solicit competition among dealers?

A. It means to advertise in the newspapers.

Q. Is that all you have construed it to mean?

A. Yes, sir.

Q. When this money was received from the State Treasury was it at once deposited in the bank?

A. Yes, sir.

Q. And at once paid out to the creditors?

A. No, sir. Have had money in the bank ten days before paying it out to creditors.

Q. Has there ever been money of the institution loaned to a private individual?

A. Yes.

Q. What amount, and to whom?

A. That I can not tell.

Q. Can not you tell any amount you loaned to any private individual, and if so, when and who?

A. Yes, sir. It was not a loan; it was simply—I let John Sullivan have \$4,700.

Q. When was that?

A. Last month.

Q. Has that money been repaid?

A. Yes, sir.

Q. Is it in the State Treasury or has it been applied to bills?

A. There is about three thousand dollars in the bank.

Q. What bank?

A. The Meridian National Bank.

Q. To whose credit?

A. It was put there to the credit of the asylum.

Q. Did you check it out to any person?

A. Yes, sir.

Q. Has there been any trouble about the bank paying the money?

A. Yes, sir.

Q. Is there any litigation about it?

A. Yes, sir.

Q. When was the money drawn from the Treasurer's office?

A. On the 10th of January, I think.

Q. Was there then a deficiency outstanding against the Treasury?

A. No, sir.

Q. Was not the institution in debt some ten or twelve thousand dollars?

A. Yes, sir.

Q. Why was it you loaned that \$4,700 to Sullivan, instead of paying it to the bank to be paid out on checks you had already drawn to creditors of the Institution?

A. I did not loan it to him. I let him have it for a few days. That much of it I did not deposit in the bank.

Q. What did you do with the check you had drawn in payment of the Storekeeper of the Hospital for that amount?

A. The Storekeeper had it. The money was not to be in the bank for ten days after the check was drawn.

Q. I understand you to say you went to the Treasurer's office and took the vouchers for the amount you were entitled to, \$21,666.66, you had already drawn up those checks covering that amount to the Storekeeper of the Hospital for that amount?

A. Yes, sir.

Q. Was this the first time that you failed to deposit the full amount that you drew from the Treasury?

A. No, sir; I think I have done that before.

Q. How frequently?

A. Four or five or half-dozen times; I do not remember.

Q. How much have you failed to deposit at any one time that you drew from the Treasury.

A. I do not remember.

Q. As much as four thousand dollars?

A. I can not say.

Q. As much as three thousand dollars?

A. It might be, yes.

Q. How frequently?

A. I can not say.

Q. How long have you kept it out before depositing it in the bank?

A. Sometimes two or three days, or a week, or ten days.

Q. What did you do with the money?

A. I suppose Sullivan used it, likely.

Q. Was Sullivan the only one you loaned money to?

A. Yes, sir.

Q. Can you tell the entire amount of money that Sullivan has had in his possession belonging to the Institution?

A. No, sir.

Q. When did you first commence letting Sullivan have money of the Institution?

A. Six or seven months ago.

Q. What was the amount you first let him have?

A. I don't remember.

Q. Did you ask any note or security for it?

A. No, sir.

Q. Took no note or security?

A. No, sir. I generally made a memorandum of it on a slip of paper in my pocket, and tore it up when it was paid.

Q. Did you not put it down on any book?

A. No, just on a separate slip of paper; I did that to remember the amount. It was just an accommodation for a day or two and he handed it back, and I did not put it on my books.

Q. Did he ever fail to hand it back?

A. No, sir.

Q. Did he pay this amount back; four thousand dollars?

A. Yes, sir.

Q. Why was it not in the bank?

A. It was, but his check was not honored that they took from him.

Q. Then he paid back a worthless check?

A. I will explain. It was like this: I gave him that money and before that became due he went to the bank and brought me a deposit slip for the amount. He had deposited that amount of money at the Meridian National Bank. This was on the 21st day of January.

Q. And you loaned him the money on the 10th?

A. Yes, on the 10th and 11th.

Q. What did he bring you ?

A. He brought me a slip of deposit where he had deposited the amount in bank to my credit. It is not a certificate, but just a slip, a general deposit slip.

Q. Did he have his bank book with him ?

A. My bank book stays there all the time. His business was altogether in New York.

Q. Was that the kind of slip he brought you (referring to slip in witness' hand) ?

A. Yes, that was what he brought me.

Q. What time did you go to the bank ?

A. About twelve o'clock.

Q. You did not make any inquiries to find whether in point of fact he deposited this or not ?

A. That is all the evidence I want. The bank made this out and sent it to me ?

Q. Where is there anything on that to indicate that the bank made it out ?

A. The handwriting of the cashier of the bank. I identified it by the handwriting of the cashier, as a duplicate.

Q. You had an account there as Treasurer of the Insane Asylum ?

A. Yes, sir.

Q. When did you first go to the bank to make inquiry as to whether the money had been deposited there or not ; on the 21st day of January, 1889, or afterward ?

A. Yes, sir.

Q. How long was that after Sullivan's failure ?

A. The same day.

Q. And what did you discover when you made your inquiries ?

A. Sullivan told me the night of his failure, when I asked him about the check, that the check came back. I asked what became of it ? He said he went to the bank and had them send it back to New York for collection again.

Q. What check ?

A. The check he deposited in the Meridian National Bank. I do not know whether he put the money there or not ; only he brought me this to show that the money was deposited there. They say at the bank that he did deposit the check, and the check came back.

Q. That does not indicate that there was a check deposited there. That would be on this line for a check?

A. I do not know whether he deposited a check, money, or what he did deposit. That was satisfactory to me.

Q. Did you issue your checks upon this?

A. No, sir; the checks had been issued before that, and were paid.

Q. The checks for supplies to the Institution?

A. Yes, sir, and were paid.

Q. And issued before this was deposited?

A. They were issued before this was deposited, and this was for the purpose of paying them, which was done, and they did pay them. I went to the bank before I made my last deposit. I saw the cashier and asked him if he had heard anything of that check. He said, "Not a word." This was on the 7th of February. He said he had not heard a word. On the 8th I did not get the money out of the Treasury. On the 9th I went to the bank and asked if they had heard from that check. They said yes, and that it was all right, and that everything was square. I said then I would make my deposit. On the day after I received a letter from Mr. Gallup, President of the bank, stating that the New York correspondent had drawn on them for three thousand dollars on that check. Now I have got the check and the check is paid. I first learned that there was any trouble on the 29th, the night of Sullivan's failure.

Q. You did not know at that time but that he had deposited the \$4,700 in cash.

A. When he drew the check he drew it payable, and brought it to me to endorse on the back. I put my name on the back. I do not know whether he got the money out of the Clerk's office or the bank, or where.

Q. He did not deposit a check which purported to be individually yours?

A. No.

Q. He gave you his personal check for \$4,700.00?

A. Yes.

Q. Upon what bank?

A. The New York National Exchange bank.

Q. Do you know whether there were any funds there?

A. The funds were there; yes, sir.

Q. They were there at the time the check was applied to you?

A. They were.

Q. And you endorsed your name on the back of it, and handed it to Sullivan?

A. Yes, and he brought this back to me.

Q. Why did you not take the check?

A. I did not have time to do that; I would have had to have taken the check to the bank.

Q. Why would you have had to take the check to the bank?

A. To get my credit for it. Instead of that I just simply endorsed the check, and Sullivan took the check and deposited it to my credit as Treasurer. My bank book was there, he did not take it down with him.

Q. This shows that you made the deposit; this is a duplicate?

A. No, that does not show that I made it.

Q. The bank accepted the check?

A. Yes.

Q. And sent it on to New York for collection.

A. Yes, sir. They say they collected about \$1,700.00.

Q. Was the three thousand dollars his deficiency?

A. Yes, and the bank charges that back to P. M. Gapen, Treasurer.

Q. It was deposited to your fund as credit.

A. Yes, sir.

Q. Your personal check, and Sullivan's personal check, was three thousand dollars short?

A. Yes.

Q. And you had as Treasurer, drawn on the fund in the bank upon your official capacity, upon the failure of this check?

A. Yes, sir.

Q. Was the three thousand on this check paid?

A. They say it was not; but they have the check back there in New York, and they say it was paid. They say this: On the night that Sullivan made his assignment this check came up; and that was the first I knew of the check coming back.

EXHIBIT OF DEPOSIT SLIP.

MERIDIAN NATIONAL BANK,

1, 21, 1889.

Deposit of P. M. Gapen, Treasurer.

Coin,

Bills,

\$4,700.00

Checks.

Place in singly

Dupl.

\$20,500 (on the back, followed by a cross).

Q. At the time you drew the money you let Sullivan have, you drew \$21,666? In checks?

A. I do not know; sometimes it would go greatly over or under that amount.

Q. But the amount you did draw was in checks?

A. Yes, sir.

Q. Have those claims been paid?

A. Yes, sir.

Q. Out of what funds?

A. Out of the funds drawn on.

Q. Were they paid out of the funds that you drew on that day?

A. Yes, sir.

Q. Were they paid out of the fund that you drew from the Treasury at that time, on the 10th of January, or out of money that you afterward drew from the Treasury?

A. They were not paid out of money I drew afterwards.

Q. Where did the money come from that paid it?

A. That \$4,700 check was credited up to my account on the books.

Q. That is what you mean when you say it was paid?

A. I mean that the checks were paid for January, and this was drawn in January.

Q. Did you draw any money?

A. Twenty-one thousand and something.

Q. Did you draw checks in full for that?

A. Yes, sir.

Q. Had these checks been paid?

A. No, sir.

Q. How much?

A. Three thousand and forty-three dollars.

Q. Then there is still \$3,043 outstanding by reason of this deficiency?

A. Yes, sir.

Q. At the time Sullivan brought his check to you, and you endorsed it back to him, did he then hand you this slip?

A. No, sir.

Q. When did he?

A. In the morning I endorsed the check, and at noon he brought me this slip. When he took the check and brought back the deposit slip of course that was satisfactory to me, that the money was deposited there. And on the night of his failure, he told me this check I had endorsed for \$4,700 came back, and that he had ordered the bank to send it on again.

Well, that of course made me think about it, and I said I would go to the bank and would in all probability find out when that check would get there. I asked Mr. Gallup when that check went back. He said it would be in New York in the morning; that is, on the morning of the 30th.

Now, it is coming back as protested, I understand, though I have not had any notice of that. They say they found about \$1,700, and that they deposited the other amount, \$3,000, to Sullivan's credit there, and not the \$1,700; that is in the Meridian National Bank.

Q. They could hold you as indorser for that check.?

A. No, sir. They could if they had gone with that check and done as they ought to have done; but I understand that they held it, and they are now sending it back protested, and I had no notice of the protest, or from the parties who protested it.

Q. Did you understand when you indorsed the check that it would be sent to New York for collection?

A. Certainly, it was a New York check?

Q. Why was it payable to your order instead of Sullivan's?

A. I do not know, but it was made that way.

Q. Was it made to your order in order that this bank here would give credit for it?

A. I do not know.

Q. Did you telegraph or make any inquiry to know whether Sullivan had the money in New York when you drew the check?

A. No, sir. His book-keeper said the money was in New York.

Q. You only had the word of his book-keeper?

A. Yes, sir.

Q. Does the bank understand that this money is due the bank from you as Treasurer, or from you as an individual?

A. There is a difference of opinion about that. The bank has just simply taken that and charged it to the Treasurer's account.

Q. We understand that this is a deficiency in your account as Treasurer?

A. I was credited up with this on the bank book, and on to this they charge the Treasurer for a check that Philip M. Gapen indorses. They charge that back to the Insane Hospital.

Q. When you indorsed that check, was it for the purpose of giving the money into the fund of the Insane Asylum?

A. Yes, sir.

Adjourned until half-past one o'clock P. M., February 26, 1889.

TUESDAY, February 26, 1889.

Committee met at 2 P. M., and there were present Senators Hays, Howard, Shockney; and Representatives Pleasants, Conn, Fields and Brown of Henry County.

Mr. Conn was chosen temporary Chairman in the absence of Senator Burke.

Senator Shockney stated that he had secured the services of Mr. Daniel Leslie, of Winchester, Indiana, as an expert accountant, at the rate of ten dollars per day; and Senator Howard moved that he be employed as such accountant, which was carried.

Mr. Leslie was then duly sworn by the Chairman, Mr. Conn.

Representative Henry then proposed the name of Captain Richard F. Fuller, as an expert accountant. Said he had telegraphed him to know if he would come and at what terms, and that he had received reply that he would come at ten dollars per day. Mr. Henry was instructed to telegraph him to come.

Senator Shockney then moved that when one member is examining a witness he shall not be interrupted by another member, and that the members examine witnesses in regular order as heretofore provided, first by Representative Henry then by Senator Hays, after which other members, in order, may examine witness. This motion was carried.

Mr. Philip M. Gapen, being further examined testified as follows:

Examined by Senator Hays.

Q. Have you your bank book with you to-day?

A. Yes, sir.

Q. Please let us see it.

Witness produced book, together with papers relating to the Asylum.

Q. Had you any bank account in this Meridian Street Bank in your individual name—a private account?

A. No, sir. I had an account there as assignee.

Q. Of whom?

A. Of Mrs. Keiter, I think, or Joseph Keiter.

Q. Your accounts as assignee and Treasurer were the only accounts you had there last year?

A. Yes, sir; that is all.

Q. Had you any business relation with Mr. Sullivan at the time you let him have the money you speak of in your examination yesterday?

A. Yes, sir; I was in his employ.

Q. In what capacity were you employed by him?

A. I was there to attend to his correspondence and make out his drafts and bills of lading on New York, etc.

Q. How long were you engaged there?

A. I think about a year.

Q. Were you a Trustee of the Asylum at the time, and Treasurer of the Institution?

A. Yes, sir.

Q. What business was Mr. Sullivan engaged in?

A. In the poultry business.

Q. You say you had charge of his books? Did you have charge of his bank account?

A. No, sir. I only signed his checks and drafts and bills of lading.

Q. Who handled the money?

A. His cashier, Miss Marshall.

Q. Was she employed at the same place you were?

A. Yes, sir.

Q. Occupied the same office?

A. Yes sir.

Q. Were you acquainted with Mr. Sullivan's financial condition while you were there?

A. No, sir; I cannot say that I was.

Q. You knew the amount of checks drawn?

A. I knew the amount, and simply signed them every day, that was all.

Q. Did you know the condition of his deposit in this bank in New York?

A. Usually, yes sir.

Q. You checked money there?

A. By drafts.

Q. You had charge of that part of his business?

A. Yes, sir; I made out the drafts.

Q. The checks on that account were drawn by you, were they?

A. Yes, sir; and by him too.

Q. Had Mr. Sullivan been in the habit of furnishing supplies to the Hospital while you were employed as Business Manager for him?

A. Yes sir. He has been furnishing supplies to the Institution ever since this Board has been there.

Q. Did he continue to furnish supplies to the Institution after you went into his employ?

A. Yes, sir.

Q. What was the amount of the supplies furnished during your employment with him?

A. I cannot tell; about two thousand dollars a month, likely; supplies consisted of butter, eggs, chickens and things of that kind.

Q. How long has he been furnishing things, to your knowledge?

A. Off and on for the last six years.

Q. Was there any indebtedness to Mr. Sullivan on account of these supplies at the time he broke up?

A. Yes, sir; I think \$2,300.

Q. For what month's supplies?

A. For January.

Q. The January bills had not been paid at that time?

A. No, sir.

Q. Then the amount for those supplies was not due Mr. Sullivan at that time?

A. No, sir.

Q. Was there anything due him beyond that?

A. No, sir; I think not. I think his bills were always paid in full.

Q. I understand you to say that you made this deficiency up, and paid these accounts, which he re-paid to you?

A. That is the way it was done.

Q. Mr. Sullivan was made an exception, was he?

A. I do not know that he was made an exception, or how it came that way; but I do not think that it was an exception by the Board. I do not know that he was an exception in that particular; I think there were others who did the same thing. I think his bills were always paid in full at the end of the month.

Q. What other bills were paid in full?

A. I can not remember.

Q. Was there any deficiency, Mr. Gapen, in the clothing account at the Hospital?

A. I think not.

Q. Has the clothing account allowance of \$12,000 a year been sufficient to meet that account?

A. I think it has.

Q. Has the entire amount been consumed each month?

A. No; I would not say it was consumed each month, but it was likely consumed in the year.

Q. The last amount you drew from the Treasury in February was \$11,000 on account of clothing bill, on the 8th of February. Was that sufficient to exactly pay all claims against that account?

Q. I think it was. I do not think that account was in debt; that is my impression.

Q. Was there any deficiency in the repair fund?

A. I think so; yes, sir.

Q. What is the amount of it?

A. About \$1,500 or \$2,000, I think.

Q. How long has it been in that condition?

A. I think since November, 1888.

Q. Do you remember what the balance of the deficiency was in the month of November, 1888?

A. I do not think there was any on the last of November. Well, I do not remember.

Q. Then was there any in that month?

A. That I can not say.

Q. What was the deficiency in the month of December, 1888?

A. That I can not tell you.

Q. Do you know what the deficiency was in the month of January?

A. I am under the impression it was between \$1,500 and \$2,000, either January or February; perhaps it was February.

Q. Was that the total deficiency that accrued from the month of February?

A. The total deficiency.

Q. Commenced in November?

A. Yes, sir.

Q. Do you know what caused the deficiency?

A. I think there were some expenditures on account of natural gas, etc., and the repairs, likely, were greater.

Q. Do you know the amount of the orders outstanding against that department?

A. No, sir, I do not.

Q. Did you, when you made your last report to the Auditor, furnish a statement of orders outstanding and unpaid on that fund?

A. No, sir; I just furnished him the amount we had to pay, and the amount we had to pay with.

Q. I understand you are required to furnish the amount of orders unpaid?

A. I have never seen such a law; it may be there, but I have never seen it.

Q. How have you construed this section of the Statute: Sec. 2773 R. S., 1881, page 548. "The Treasurer shall, from time to time, before such orders become due, present to the Auditor of State a statement of all orders drawn and then unpaid, giving the date and number and amount of each order,

and the person to whom payable, which shall be signed and sworn to by the Treasurer, and certified to by the President of the Boards." Have you been in the habit of doing that?

A. No, sir.

Q. Has it been your custom to make a report of that kind?

A. No, sir.

Q. Do you know the amount of unpaid orders certified to you by the President at this time?

A. They are always paid.

Q. What did you understand when you said you did not furnish a report of the orders outstanding?

A. We only furnish a report on filing the schedules we are going to pay.

Q. I am speaking of the way you transact your business individually. When these claims are allowed, they are presented to the Board for allowance; then the President draws on the Treasurer for the amount payable in ten days?

A. No, sir; those orders are payable at once.

Q. Have you been in the habit of construing that to mean not within ten days?

A. The Board makes that payment within ten days; not the Treasurer of State, I do so.

Q. The statute provides that you shall present a sworn statement of the amounts due to the Auditor of State, and he draws warrants for those amounts, and it is then your duty to pay those amounts.

A. The Auditor of State draws the warrants on the State Treasurer.

Q. Have you any orders certified to you, signed to you, by the President of the Board, unpaid?

A. No, sir; except this three thousand dollars.

Q. In what shape is the indebtedness of the institution, now unpaid?

A. It is a floating debt. It is simply amounts that merchants have against the institution.

Q. Have they been allowed by the Board of Trustees, these claims?

A. They have never been presented. I do not think any of them have ever been sworn to.

Q. How does it come to your knowledge that there is such indebtedness?

A. Our books show it; the books show that there is a deficiency there.

Q. How does that deficiency arise until the bills are presented and allowed by the Board?

A. Every man that furnishes goods there, furnishes a bill with them, and the bill is put on to the journal, from the journal it is carried on to the ledger, and that will always show the indebtedness until that is paid. After that we furnish them with a blank bill of the Asylum's bill head, then they take that and make out their regular bill to the Insane Asylum for the full amount, and that is compared with the books before, and if they are correct they are allowed by the Board.

Q. You, as Treasurer and Trustee, have nothing to do with these bills until they are presented to the Board, and allowed by the Board?

A. That is all.

Q. Then, in stating the indebtedness, you state all the accounts as shown by the books of the Hospital, and not all the accounts allowed by the Board of Trustees?

A. That is it. The books show that there is that amount.

Q. You do not, of your own personal knowledge, know anything about that, except as you see it on the books?

A. That is all.

Q. Do you remember whether there are any other bills that do not appear on the books?

A. No, sir; I should think they would appear on the books. I do not see how they could get on the books without the goods being furnished. The goods could not be furnished without their appearing on the books. A statement of the accounts has to be presented to the Board for allowance.

Q. You can not draw more than 1-12 part of the yearly appropriation, each month.

A. No, sir.

Q. Whenever a claim is presented and allowed it is the duty of the President to draw an order on the Treasurer for that amount, is it not? I mean the Treasurer of the Hospital?

A. No, sir; the bill would not be allowed unless the money was in the State Treasury.

Q. Cannot the President of the Board allow an order for the claim?

A. We never allow claims until we have the money to pay them.

Q. Is there anything in the law limiting the allowance of claims?

A. I do not know that there is any law to prevent it, but it is not done. We have required vouchers from the parties that furnish the goods.

Q. How do you prevent the presenting of claims larger than you have an amount of money on hands?

A. We do not prevent it; but if we have no money we do not allow the claim.

Q. Have any claims been presented to the Board that have not been allowed?

A. I do not know. They have not been presented to the Board; they may have been presented to the Storekeeper.

Q. Have there been any claims presented to the Board of Trustees that have not been allowed?

A. No, sir; none that I know of.

Q. Why are these claims for fifteen thousand dollars, outstanding against the Hospital, not presented to the Board for allowance?

A. I cannot say, unless they just make up the amount that is coming to the Board and leave the others out.

Q. Who makes up the amount?

A. The bookkeeper.

Q. What has the bookkeeper to do with presenting creditors' claims to the Board?

A. That is his business.

Q. Do you depend entirely upon the Bookkeeper presenting claims?

A. Mostly, yes sir.

Q. (Reading from section 2772, R. S., 1881, page 548): "No moneys shall be paid out or expended, except on an itemized bill allowed by the Board," etc. Now, Mr. Gapen, who directs the Storekeeper what bills to make out and present to the Board?

A. I do not think anybody does, unless it is the Superintendent.

Q. Why is it then, that part of the bills are selected and presented to the Board for allowance, and others not?

A. It is just as I stated to you a while ago; we pay the amount of money we have and then we have to stop.

Q. What has the payment to do with the presenting and allowing of claims?

A. We do not allow it until we have the money to pay it.

Q. Then it is left with the Storekeeper or Superintendent to say whether or not a man's claim will be presented to the Board?

A. Yes, that is the channel they go through.

Q. What is there to prevent a merchant from presenting his own claim?

A. They do that, I think. The Storekeeper generally goes around and takes the blanks, and they fill them up and sign them, and swear to them, right then and there.

Q. Do you know who the deficiency in the repair fund is due to?

A. No, sir.

Q. Do you know the amount of it?

A. I stated a while ago that I supposed it was from \$1500 to \$2000.

Q. How long has it been outstanding?

A. I think since the first of November.

Q. It commenced about the first of November?

A. I think so; yes, sir. I think the books were squared up the first of November, on the regular fund and clothing fund both, and there was nothing wrong in the fund.

Q. The last report you filed was up to November?

A. Yes, sir.

Q. Up to that time the thing was square?

A. Yes, sir.

Q. Has there been any increase in the three months since January?

A. No, sir; I think not.

Q. What is the cause of the increase in the maintenance since that time?

A. There has been a raise in goods of all kinds.

Q. I am talking about the maintenance fund.

A. We have been paying higher prices than before. We were behind the last of October with the maintenance fund.

Q. What time do you go to in this fund?

A. At the end of the fiscal year. At the end of last October we showed our indebtedness to the maintenance fund. I think the clothing and repair funds were square.

Q. What was the balance of the deficiency at the close of the year in the maintenance fund?

A. I think about nine or ten thousand dollars. I do not know positively.

Q. Can you approximate the deficiency nearer than that?

A. No, sir; I do not remember.

Q. Has it been increasing at about a thousand dollars per month since November?

A. I think so; yes, sir.

Q. Since November, you have drawn \$9,998 on the maintenance fund?

A. I do not remember.

Q. You have drawn the full amount you were entitled to?

A. Yes, sir.

Q. And have drawn two thousand dollars due you on October?

Q. Have you your cash book, or any other cash book than this bank book with you?

A. No, sir.

Q. Did you keep any other book, as Treasurer, except this bank book?

A. That is all the book I have. They are not kept by me at all. The others are kept by the officers of the Institution.

Q. Have you the checks returned to you when the account was balanced?

A. They are at the Institution.

Q. When are they returned to you?

A. Every month or so.

Q. When was your book balanced the last time?

A. On the 11th of February, I believe.

Q. Where are the checks returned to you on the 11th of February?

A. There were none returned on the 11th.

Q. Were not the checks returned when the book was balanced the last time?

A. No, sir.

Q. Where are the checks of that time?

A. I got them at the bank yesterday.

Q. Where are they ?

A. They are at Mr. Spaan's office.

Q. Who is Mr. Spaan?

A. An attorney in the city.

Q. What time did you get them?

A. Just as I came up here, in the forenoon yesterday.

Q. Have you seen Mr. Spaan since you came up here yesterday?

A. Yes, sir.

Q. He is your attorney?

A. Yes, sir.

Q. Were these checks placed in his hands as your attorney?

A. No, sir; I just simply left them there in his office.

Examined by Mr. Pleasants.

Q. You were asked by Mr. Hays regarding the deficiency in the repair fund as occurring since last November, I think about \$1,500.

A. I think it has occurred since the end of the fiscal year, the 3d of October.

Q. What was this, about fifteen hundred dollars?

A. Fifteen hundred or two thousand; I do not remember exactly.

Q. Has there been any extraordinary expense that will come out of this repair fund?

A. Yes, sir; we have put in natural gas, and there has been a great deal done.

Q. How much work was done in putting in the natural gas?

A. I think some four or five or six thousand dollars' worth.

Q. This is not an ordinary expense as coming out of that fund?

A. No, sir.

Mr. Hays.

Q. Is this the draft you referred to yesterday, Mr. Gapen? referring to the draft in his hand.

A. Yes, sir, that is the check.

(Copy of Check.)

J. E. SULLIVAN,

Butter, Eggs, Cheese, Poultry and Game.

\$4,700.00.

INDIANAPOLIS, IND., 1-21, 1889.

Pay to the order of P. M. Gapen, forty-seven hundred dollars. To the New York National Exchange Bank.

No. 3,039.

JOHN E. SULLIVAN

On the back of the draft :

For collection and credit on account of Meridian National Bank, Indianapolis, Ind. A. F. Kopp, Cashier.

Fourth National Bank, Paid January 31, 1889, New York 61.
Jan. 25th, 1889. P. M. GAPEN.

Q. Who filled that draft out?

A. Mr. Sullivan.

Q. Where was it filled up?

A. I think it was done there in the office.

Q. Who signed the name, John E. Sullivan to it?

A. Sullivan signed it himself.

Q. Were you present when it was done?

A. No, sir.

Q. Were you at the office that day?

A. I was at the office when that was signed; yes, sir, that day.

Q. Where was it signed?

A. I think it was signed in the poultry-house office, that is my recollection.

Q. Who was present at the time?

A. The book-keepers and cashiers, I think were there.

Q. Was it delivered to you when signed by Mr. Sullivan?

A. He had to deliver it to me, or I could not have signed it.

Q. What did you do with it after you signed it?

A. I gave it back to Mr. Sullivan.

Q. You did not take it to the bank yourself?

A. No, sir.

Q. When did you see it next after that?

A. I can not tell exactly; one day—I can not tell you when that came back from New York.

Q. Was this check drawn in payment of the amount of money of the Hospital, that you had let Mr. Sullivan have?

A. No, sir.

Q. What was it for?

A. He did not say. He just asked me to sign that check.

Q. Did you ask what it was for?

A. No, sir.

Q. Do you know now why you signed it?

A. No, not particularly; I have often done that for him.

Q. Did it have any relation to the indebtedness to you on account of the Hospital fund?

A. I do not know, he did not say anything to me about it. There was nothing said about what I had loaned him out of the Hospital funds, and there had been nothing said before that.

Q. There had been nothing said about the check for \$4,700 before that?

A. No, sir; there was no conversation at the time. I do not remember of there being anything said about the check at the time I signed it, or anything about it.

Q. Did you destroy the memorandums you had made of money you had loaned him when you signed the check?

A. No; I destroyed it that same day when he brought me the slip of deposit.

Q. Do you know whether there was any relation between the check you had signed and the slip of deposit?

A. I supposed he had gotten the money some place and put it in the bank.

Q. You say you supposed he had gotten the money some place; in what manner?

A. Yes; at least he brought me the slip of deposit, and I made no inquiry about it.

Q. Did you suppose, when you endorsed that check, that it was done for the purpose of enabling Mr. Sullivan to raise some money?

A. Of course, I did.

Q. Do you know why it happened to be for some amount he owed you?

A. No, sir.

Q. You said, in your examination yesterday, that you did not know where he got the money—out of the Clerk's office, or where?

A. I did not know then, but since that I know.

Q. Did you think he got the money out of the Clerk's office?

A. I did not think that; that related to him, and not to me at all.

Q. You were not interested in that matter?

A. No, sir.

Q. You were interested in having him pay back \$4,700.00 that belonged to the State?

Q. You knew that it did not belong to you, and that you had no right to let it go out of your possession?

A. I do not know; it went out of my possession when it went into the bank.

Q. Yes, but it was subject to your order. You think letting John E. Sullivan have it was the same as putting it in the bank?

A. I do not know that the law would make any difference.

Q. Do you make any difference?

A. No, sir.

Mr. Henry:

Q. You stated yesterday that you had loaned Mr. Sullivan money out of the State's funds several times?

A. Yes, sir.

Q. And you did that after drawing the money and before depositing it in the bank?

A. I think so; yes, sir.

Q. Sometimes, then, you would give him a check upon this fund?

A. Yes, sir.

Q. This would be noted on the bank book?

A. Yes, sir.

Q. What was your method of replacing it?

A. I deposited it in the bank on repayment by Sullivan.

Q. Then this bank book will show more deposits than the amount of money you received from the State?

A. Yes, more of a deposit and more of a draw. I remember one day Sullivan was to get some money of Mr. Cooper and Mr. Landers. I think it was \$5,500 that he wanted to use that forenoon, and Landers and Cooper were to give him the money that day. I had given him a check for that amount, and in the afternoon that money was placed in the bank.

Q. Will that account for any of these deposits being greater than the amount of the Treasury deposits?

A. I think it would.

Q. How many times have you given him checks?

A. I do not know.

Q. Have you preserved or kept all of your checks?

A. Yes.

Q. You have all of them?

A. Yes, sir; perhaps one or two of them have been lost.

Q. These checks are in the hands of your attorney?

A. Yes, sir. I left them in his office because I did not want to carry them around with me ; they were too bulky.

Q. He is your attorney in this suit with the bank ?

A. Yes, sir. The bank account there is all square, except the three thousand dollars which is in litigation now, and every dollar drawn has been paid except that.

Q. In such places in your bank book where the deposits exceed the receipts from the State, it would be very natural to believe that you have loaned that out and received it back, and placed it back to your credit ?

A. Yes, sir.

Q. That will explain why the deposits exceed several times the amount received from the Treasury during the month ?

A. Yes, sir.

Q. You stated yesterday that you loaned Mr. Sullivan the money sometimes before you took it to the bank ?

A. Yes, sir.

Q. Then your deposit at that time would be less than the amount you took from the State Treasury ?

A. Yes, sir. Sometimes I would accept orders. Mr. Wasson was wanting three or four thousand dollars, and there was no money in the Treasury. I got an order on the Treasury, and, when it came in, I took that amount of money out. Sometimes Sullivan would have the money. One time the State Treasury had no money for two months. I think I owed Capt. Wasson \$6,500. He asked me to make an arrangement with Mr. Lemecke so that he could get \$4,500, by accepting the order which should be paid when he got the money.

Q. Did you ever pay Mr. Sullivan for any goods bought of him, in advance ?

A. No, sir ; only in that way ; had nothing to pay it with. I accepted the order for that month's goods on Mr. Lemecke.

Q. You stated that the bank-book remained in the bank all the time ?

A. I took it home once in a while to check up the checks.

Q. Can you tell me in any month, or figures here—in bank-book—the amount you have loaned Mr. Sullivan by looking over the book ?

A. No, sir. I might by looking over that.

Q. What fund did you usually draw the money out of ; or loan it out of, I mean ?

A. It is all one fund in the bank.

Q. Are there any extravagant expenditures there about the Hospital?

A. I do not know of any.

Q. Do you know of the Superintendent buying and putting in fine furniture in rooms there?

A. I do not know. I think there were some carpets; I do not know that it was extravagance. I thought at the time they could have done without them.

Q. When were these carpets purchased?

A. About eight months ago.

Q. Do you know what they amounted to? How many rooms were there?

A. I do not know the number of rooms. I think it was nine hundred dollars.

Q. Whose rooms were they?

A. The Superintendent's rooms, I think, but that I do not positively know.

Q. What was the furniture, lace curtains and carpets?

A. I think so; yes, sir; it amounted to about nine hundred dollars.

Q. Who purchased those, the Superintendent?

A. That I do not know.

Mr. Brown:

Q. Did the Superintendent get an order for the carpets?

A. Not to my recollection. I do not know.

Q. Did he talk to the Board about it?

A. He did not talk to me about it.

Q. You had no knowledge they were to be purchased at all?

A. No, sir.

Q. Had you heard they were there?

A. I heard they were there; yes, sir.

Q. Were they afterward paid for by the Board?

A. Yes, sir.

Q. The check was drawn by you?

A. It was—drawn by order of the Board; yes, sir.

Q. You think that sum was about \$900?

A. I think it was somewhere in that neighborhood.

Mr. Hays:

Q. Why were those checks which you drew on your account in the bank, made payable ten days after date?

A. That is the law.

Q. It is the law that you should draw a check ten days after date?

A. Yes, sir.

Q. I wish you would show it to me, I have not been able to find it?

A. It is there in the Statutes somewhere. It was pretty well defined in the last investigation of the other committee.

Senator Shockney:

Q. The law is that for all filed claims, you shall within ten days pay them.

A. It has always been considered that way.

Mr. Hay:

Q. Mr. Gapen, is this the provision of the Statute that you refer to? Section 2772, R. S., 1881. The claim first goes to the Board, then to the President, and the President then draws an order on you for the money. With reference to the order which the President draws upon you: you get your money from the Treasurer upon the ten days' order drawn by the President. What authorizes you after you get that money to defer paying the bills of the institution for ten days more?

A. We do not take ten days more. After these accounts are approved, these checks are drawn for that amount, each one separate, and are all drawn ten days after date, that is, from the date they are allowed. If they are drawn on the 7th day of October they are paid on the 17th.

Q. Does the President, at that time, draw an order on the Treasurer for the amount of those claims?

A. Yes, sir.

Q. You draw your check on the bank the same day the President draws his order on you?

A. Yes, sir.

Q. And you take the orders the President draws on you to the Auditor, and get a warrant to the Treasurer of State?

A. Yes, sir.

Q. And the ten days on the orders is running at the same time the ten days on the checks runs?

A. Yes, sir.

Q. At each time you loaned money to Mr. Sullivan, you loaned money you had drawn from the Treasury; on the faith of this, orders had already been drawn on you by the President of the Board?

A. Yes, the money he got; yes, sir.

Q. And you had already drawn checks, which were outstanding, for the amount of that money?

A. Yes, sir.

Q. And before the checks were payable, you let the money go out to Sullivan?

A. Yes, sir; and before they were payable the money was paid into the bank.

Q. I see you have a check dated February 20, 1889, "Meridian National Bank, pay to the order of myself \$3,043.66, P. M. Gapen." That was drawn on the 20th of February?

A. Yes, sir.

Q. Why was that drawn, Mr. Gapen.

A. So as to have it protested if they did not want to pay it.

Q. Had you any checks outstanding for that amount?

A. Yes, sir; and already had credit in the bank book. That credit of \$4,700 was made on the 20th day of January.

Q. Did you in addition—did you draw this check, notwithstanding checks in your name, as Treasurer, to the creditors of the Institution?

A. Yes, sir.

Q. Were they paid?

A. No, sir; that is why I drew that.

Q. These checks are still outstanding, drawn in your name as Treasurer?

A. Yes, sir.

Q. This money that you let Mr. Sullivan have from time to time, was it paid in checks or currency?

A. Sometimes one and sometimes the other.

Q. You have no means of ascertaining how much in currency, and how much in checks?

A. No, sir.

Q. Have you the checks for the money you drew in his favor?

A. I think so; yes, sir.

Q. Are they the checks that Mr. Spaan has?

A. Some of them.

Q. Were they drawn by you to Mr. Sullivan, and indorsed by you as his agent, and the money received that way?

A. No, sir.

Q. Was the money used in the business you were managing, or connected with the Clerk's office?

A. I do not know what he used it for.

Q. Did you use it down there?

A. I do not remember.

Q. You were managing the business, were you not?

A. Yes, sir.

Q. If you drew money out of the bank to use there in the business, you would remember it, would you not?

A. I never drew any to use in the business. I do not know of any of the money that went into the business. He had no bank account here.

Q. I understood you to say to-day in examination that you drew checks for Sullivan?

A. So I did, but they were on New York.

Q. And you said you were acquainted with the bank account in New York, did you not?

A. Yes.

Q. How did you know whether to draw a check or not?

A. I took it from the bookkeeper every morning. He would lay a slip of paper on my desk showing the bank account. This was the only information I had.

Q. This money which you were drawing out here and loaning to him belonged to the State. You took no more interest in it than that—to find out where or when it was used or what it was for?

A. No, sir.

Q. You say you did not know during the last six months what Mr. Sullivan's financial condition was?

A. No, sir.

Q. You had no information as to that at all?

A. I knew he was hard up, as every other business man was.

Q. Did you know he was embarrassed?

A. Yes, I knew he got embarrassed once in a while.

Q. Did you know he was embarrassed when you let him have this forty-seven hundred dollars?

A. No, sir. I knew he was in debt some. I had no more idea, when he made his assignment, that he was going to do so than you had.

Q. Why was it necessary, if he was not in embarrassed circumstances, for you to use the money of the State and let it go into his business?

A. I do not know how to answer that question. He might want to use currency in money here, and if the money was there, he would go and get it and put checks in for it.

Q. Do you use that word currency in any other way than meaning money?

A. That is what currency means, is money.

Q. I suppose he wanted the money?

A. Yes, sir.

Q. Do you know, as manager of his business, why it was that he kept his bank account in New York and not here?

A. Yes, sir. He saved one dollar on every thousand dollars of collections.

Q. When did you first learn that Mr. Sullivan was closely pressed in his financial affairs?

A. I have known him to get hard up for some time. In fact, he has always been hard up since I have been with him—I suppose about a year—but to what extent I did not know at that time. I did not make any investigations to find out; felt perfectly satisfied that he was all right.

Q. At the time you was letting him have the money of the State, at that same time you did not investigate?

A. No, sir; I supposed he was as good as anybody. He always was hard up—always kept himself hard up. I did not know, though, the extent of his indebtedness. He never told me, and I did not ask him.

Q. Have you the bids and other papers connected with the letting of the contracts in your possession, or are they in the possession of the Superintendent?

A. None of the bids; no, sir. I never take any of the bids of anybody.

Q. They were passed on by the Board?

A. Yes, sir.

Q. What member of the Board has charge of those papers?

A. They are out at the Hospital, in charge of the Superintendent and Storekeeper. They are kept there with the balance of the papers pertaining to that institution.

Q. The Board does not pay any more attention to them after the contract is awarded?

A. No, sir.

Q. What means have you of knowing whether the provisions provided for the Institution are actually used in the Institution?

A. I have none.

Q. Have you anything except the word of the Storekeeper that they are delivered there?

A. Certainly; we have the bills and statements sworn to by the parties that delivered the goods. The bills show on their face that the goods are delivered to the Asylum, and they are sworn to. We simply follow out the law; if the law is wrong, why, we are liable to be.

Representative Fields:

Q. Mr. Gapen, have you been loaning money, occasionally, since October, 1887, out of the State's funds, to Mr. Sullivan?

A. Yes, I guess I have.

Q. And these amounts correspond here with your bank book, and indicate the amounts deposited when paid back?

A. Yes, I suppose so.

Q. You loaned from one thousand dollars to two hundred and fifty dollars; sometimes \$600, sometimes \$650, sometimes \$1,500?

A. Yes, sir.

Q. That accounts for the increase in the deposits?

A. Yes, sir.

Q. Did you make the statement that you were connected in business with Mr. Sullivan?

A. No, sir; I was simply in his employ.

Q. State the nature of the employment, your salary and your business.

A. He said that he wanted me to go there, when he was elected Clerk of the County. He had to be in both places—the Clerk's office and down there—and frequently had to give checks in his poultry house; that he had confidence in me, and wanted me to go down there and make out bills of lading, drafts on New York, checks, etc.

Q. When did that employment commence?

A. I think about a year ago.

Q. You were employed simply as clerk and business manager?

A. Yes, sir; manager, clerk, or whatever you care to call it.

Q. Did he employ you by the month, or year, or did he give you a profit out of the business?

A. He paid me twenty-five dollars a week to attend to that business—to sign his checks, make out his bills of lading, drafts, etc.

Q. When did the employment commence; when did it end?

A. It commenced in October, 1887, and ended the 29th day of last month—January—when he broke up. I have no interest in the business, whatever; no more than you gentlemen have.

Mr. Henry:

Q. Was Sullivan on your bond?

A. No, sir.

Q. Who is on your bond?

A. I do not remember.

Q. When did you file it?

A. Six years ago.

Q. You were not then Treasurer?

A. No, sir.

Q. Is the Treasurer required to give additional bond?

A. No, sir.

Q. What is that bond?

A. I do not remember what it is.

Q. You think about last fall a year ago you commenced business with Sullivan, at \$25 a week, and continued until he gave up business?

A. Yes, sir.

Q. When was the \$4,700, the money that he paid back with this check, obtained from you? Did you give him a check for that?

A. I think it was on January 11th. I did not give him a check for it.

Q. At what time did you let Mr. Sullivan have that \$4,700?

A. My impression is that it was about that time, January, 11th.

Q. Did you give him a check for that?

A. No, sir.

Q. Did you pay him the money?

A. I think I did; yes, sir.

Q. Where?

A. I think at his office.

Q. Are you accustomed to take money out, to draw out cash and take it to the office before depositing?

A. No. I think I took that money out and gave it to him, and deposited the rest.

Q. The difference between the amount you received that month and the amount you deposited is less than \$4,700. He must have gotten that before?

A. I may have taken an order.

Q. I see, on January 23d, two thousand dollars more deposited; where did that come from?

A. He owed me that two thousand. I think I gave a check for a part of that, in all probability.

Q. How did he pay you back that two thousand dollars; the same way he did the other?

A. By a check on the same bank, and he brought me the slip of deposit. That has been paid; I have the check. There is no question about that.

Q. So he really had \$6,700 of the moneys belonging to the State, and he paid back, January 24th, \$4,700, then again \$2,000?

A. Yes; I think that was about the way of it.

Q. Then, counting the two sums, \$6,700, and the difference between the amount received and the deposit, \$34,480, there is about \$3,000 difference, that is, prior to the time of your last receipt from the State?

A. Three thousand dollars difference; there could not be any difference.

Q. He paid you back money in December, two or three payments?

A. I do not remember; I think he did.

Q. I see deposits here of \$700, \$800 and \$1,000?

A. That was it.

Q. In November I see deposits of \$2,500, \$100 and \$1,500; and I see each month after that more deposits. Does that indicate that you had loaned it to him, and he paid it back?

A. Yes, sir.

Q. You say that you have those checks at your attorney's office?

A. Yes; not all of them, but for the last two or three months.

Q. You will furnish those?

A. Oh, yes.

Mr. Fields :

Q. Previous to your engagement with Mr. Sullivan, had it been your habit to deposit the entire amount received from the State Treasury in the bank at one time ?

A. Yes, sir.

Q. Since that time you have not so deposited ?

A. No, sir ; sometimes I would not. Sometimes there would be orders I would have to pay to some parties, and it would not make that amount ; yet I had done that before.

Q. Are there any small deposits to your account, anything less than ten thousand dollars, prior to your engagement with Sullivan, as shown by that bank book ; I do not see any in six months. When did you go in with Sullivan ?

A. I think in October, 1887.

Q. Same month, \$400 ; was that money Sullivan had ?

A. I suppose so.

Q. And the same month, \$2,000 ; was that money Sullivan had had ?

A. I suppose so.

Q. And in the same month, \$8,842 ; did Sullivan have that ?

A. No, he never had that amount.

Q. How did it come that you had to deposit \$8,842 in that month ?

A. In October ; I do not remember.

Q. In the same month there is two thousand dollars after that. How did that come ?

A. I do not remember that.

Q. You had never so deposited before ?

A. I think not.

Q. You had never deposited \$8,842 at one time before, had you ?

A. I do not remember.

Q. Nor two thousand, nor four hundred, nor eleven hundred ?

A. No, sir ?

Q. In that month of October, there appears in five separate items the sum of \$13,000 ; was that money that Sullivan had been using ?

A. No.

Q. How much did he get ?

A. I do not know.

Q. Where did you get that money?

A. At the State Treasury.

Q. Here is deposited on the 29th of October, \$8,842; did you get that from the State Treasury on the 29th of October?

A. I expect I did. I do not know that it was that amount.

Q. For what purpose did you get it?

A. That was the end of the fiscal year.

Q. That was for the Institution for the month of October?

A. Yes, sir.

Q. On the 31st of October there is two thousand dollars; did you get that from the State Treasury?

A. I do not know.

Q. Did you ever draw such a thing as a balance from the State Treasury, or did you draw the entire sum for the month?

A. I drew the entire sum for the month each time; no, let me think. I am under the impression that, at that time I drew money out of the State Treasury for parties in this town.

Q. Who were they?

A. I do not remember. I think Capt. Wasson was one of them. If I remember rightly the State Treasury did not have the money that month when the Board met, and the Treasurer advanced a part of it to pay off those parties.

Q. You say then that he advanced you \$8,842?

A. I do not remember; he advanced something.

Q. Had such a thing occurred at any time before October, 1887?

A. No.

Q. You think this two thousand dollars was a like advancement?

A. I am under the impression it was; I am not sure.

Q. There are two items of two thousand dollars on the 15th and 31st of October; they were of like character?

A. I do not know.

Q. Were they moneys Sullivan had been using?

A. I can not state.

Q. Please explain why there are five deposits of similar amounts in October, 1887, and no such thing occurred before that?

A. There is only one way I can explain that. There were some months that the State Treasurer advanced me some money.

Q. On the 6th of October there is a deposit of one thousand dollars.

A. I do not know.

Q. Before you had drawn the money from the State Treasury?

A. In all probability the State Treasurer did not have the money, and some one would want a thousand dollars, and I went to him and got the money; I do not know how many times.

Q. Prior to October, 1887?

A. I do not think I did.

Q. Let me ask you: In January, 1888, here are deposited five hundred dollars; did you draw any such amount from the State Treasury?

A. No, sir.

Q. Did Sullivan use that?

A. I expect he did.

Q. Another item of \$200; did he use that?

A. I expect so.

Q. And \$300; did he use that?

A. I think so.

Q. And another item of \$1,000; did he use that?

A. I think so.

Q. There are \$3,000 in the month of January that you think Sullivan had been using?

A. Yes, sir.

Mr. Henry:

He stated that where those small deposits appear on the bank book, he had loaned it to Sullivan and it had been repaid.

Mr. Field:

Q. What was the longest time you let Sullivan have money?

A. I think about ten days.

Q. Well, then, do I understand you to say that every month after you went into the employ of Mr. Sullivan he has used from one to four or five thousand dollars of the State's money?

A. No, I do not say every month; yet, it might have been.

Q. In February here is \$1,000 deposited; was that Sullivan money?

A. I think so.

Q. And \$650 ; was that Sullivan money also ?

A. I suppose so.

Q. And \$350 ; was that also Sullivan money ?

A. I suppose so.

Q. Then in March \$600 ; was that Sullivan money ?

A. I suppose so.

Q. And \$500 ; was that Sullivan money ?

A. Yes, I suppose so.

Q. And \$650 ; was that Sullivan money ?

A. I suppose so.

Q. Here is a deposit, on March 12th, of \$22,000 ; was that the day you drew the money and deposited it ?

A. Yes, sir.

Q. On March 26th there is \$650 deposited ; was that Sullivan money ?

A. I suppose so.

Q. How long had Sullivan had the money, ever since you had drawn it ?

A. He may have had it fourteen days.

Q. In April there is \$250 ; was that Sullivan money.

A. I suppose so.

Q. And \$1,000 ; was that Sullivan money ?

A. Yes.

Q. And \$1,000 ; was that Sullivan money ?

A. Yes.

Q. And another \$1,000 ; did Sullivan have that ?

A. I suppose so.

Q. And four thousand dollars—did he have that ?

A. I do not know.

Q. And fifteen hundred dollars. Here are five items, making \$8,500.00. This was money that Sullivan had been using in the month of April, 1888 ?

A. Yes ; there was \$5,500.00 of that for one day. Mr. Landers and Mr. Cooper were to furnish him the money in the afternoon.

Q. In the month of April he had \$5,500.00, in one day, of the State's money ?

A. Yes, sir.

Q. In the month of May, \$250.00—on the 10th of May ; was that Sullivan money ?

A. I suppose so.

- Q. And \$1,500.00 ; was that money he had been using ?
A. I suppose so.
Q. And fifteen hundred dollars ?
A. The same, I suppose.
Q. And fifteen hundred dollars ; was that Sullivan money ?
A. I suppose so.
Q. That is \$4,500.00 of the State's money that he was using in the month of May ?
A. Yes, sir.
Q. In the month of June, here is \$500.00 ; is that Sullivan money ?
A. I suppose so.
Q. And \$600.00, and \$1,500.00, and \$2,000.00 ; was that money he had been using ?
A. I suppose so.
Q. There is \$4,000.00 in the month of June, that Sullivan had been using, belonging to the State ?
A. Yes, sir.
Q. In July, \$2,000 on the ninth ; had Sullivan been using that ?
A. Yes, I suppose so.
Q. And \$1,500 and \$500, was he using that ?
A. Yes, sir.
Q. That is \$4,000 in the month of July, that Sullivan had been using ?
A. Yes, sir.
Q. In August, \$1,000 ; was that Sullivan money ?
A. I suppose so.
Q. And \$250, and \$250, and \$1,000 ; was he using that ?
A. I suppose he was.
Q. Twenty-five hundred dollars in the month of August ; was that Sullivan money ?
A. I suppose so.
Q. In September, \$2,000 and \$1,000 ; was that Sullivan money ?
A. I suppose so.
Q. In October, \$2,000, \$300 and \$300 ; was that Sullivan money ?
A. I suppose so.
Q. And in November, \$2,500, \$500, \$1,000 and \$500 ; \$5,500 in all ; was that Sullivan money ?
A. That is right.

Q. December, \$2,000, \$700, \$800, \$100; \$3,600 in the month of December; is that right?

A. I suppose so.

Q. Let me ask you, as a matter of fact, if he has not used from one thousand to eight thousand dollars of the State's money every month since you have been in his employ?

A. No, I think not.

Q. He had \$8,500. did he not, and you loaned it to him?

A. Yes, and very often I gave him the money and he gave me a check at the same time.

Q. He made you his banker, and checked on you; is that it?

A. No.

Q. He simply gave you his check, and you gave him the money?

A. Yes.

Q. On what bank were these checks drawn?

A. On New York; and very often he would give a check on Fletcher here.

Q. Did you have to endorse a check on Fletcher when he gave it to you?

A. Yes.

Q. You would give him the money, and loan him your credit to get it back?

A. Yes.

Q. He had money with Fletcher, had he?

A. Yes, sir; as County Clerk, he was banking with Fletcher. Some of his checks were on Fletcher, as Clerk of Marion County.

Q. And you had to endorse those to your order?

A. Yes, sir.

Q. Do you know how much money it took, on an average, to run Sullivan's business a month, while you have been with him?

A. I could not state; it would average, I suppose, a couple of thousand dollars a day.

Q. Sixty thousand dollars a month?

A. Yes, sir.

Q. Seven hundred and twenty thousand dollars a year?

A. Yes, sir.

Mr. Burke, Chairman:

Q. It did not require any such capital as that, did it?

A. Yes, sir. His business was over \$60,000.

Q. Do you say that it required a capital of \$60,000 a month, or that he did a business of \$2,000 a day?

A. He did a business of \$2,000 a day. It is like this: You pay \$2,000 to-day for produce, and to-morrow you have your stuff to go to New York, and you make your drafts for that amount.

Mr. Hays:

Q. How much money did it take to carry on the business?

A. Some days \$500, and some days three or four thousand dollars.

Q. How much money was required to carry on that business?

A. You could do it on a small capital.

Q. How much?

A. Well, I suppose he needed in his business, anyway, \$2,000 a day.

Mr. Burke:

Q. Suppose he were to buy \$600 worth of produce to-day, and ship it to New York to-morrow, how long before he would realize on that shipment?

A. He would realize on it at once.

Q. Then a capital of \$2,000 would do his business?

A. Yes, sir.

Q. The money that you were furnishing was sufficient to do the business?

A. I was not furnishing all the money; but a good deal.

Q. You furnished from one to eight thousand dollars a month?

A. That would not run his business.

Q. Was it customary when you let him have money for it to be paid by checks on New York, drawn in your favor and indorsed by you?

A. I think they were, mostly.

Q. And that was furnished on six or eight days' time—six or eight days' time given?

A. No, I do not know.

Q. How long does it take to get returns on a check?

A. You do not get returns, the money is there.

Q. He gets a credit for a certain length of time on each check?

A. Yes, about two days.

Mr. Fields:

Q. Was it not your custom, since you became Treasurer of this Institution, to draw each month the entire amount of money received from the State Treasury to pay for maintenance and repairs and clothing?

A. Yes, sir. Sometimes not the entire amount.

Q. Do you remember any considerable balance you have ever had left over any month?

A. I have on repairs; I have had as high as \$250 or \$300 in this fund left over.

Q. Was it more than \$300?

A. No.

Q. Were these checks drawn in the month previous for expenses of the three funds for money that had been paid out for the month prior to the date of the check? Now, suppose you drew checks for the amount you got from the Treasurer, would those checks pay for the expenses of last month out of the three funds, each month, and for any other month?

A. Yes, sir.

Q. Does it take more money to run it in the winter than in the summer?

A. I think so; on account of coal and fuel.

Q. On that account?

A. Yes, sir.

Q. Do you raise any potatoes out there?

A. Yes, sir; in the summer months we raise our own vegetables—cabbage, turnips, potatoes, etc.

Q. Can you give us an estimate of the amount of potatoes raised in the summer time out there?

A. I think you will find it in our report; I do not remember.

Q. Do you raise potatoes?

A. Yes, sir.

Q. Do you raise as much in a month as you use?

A. I think so.

Q. What months?

A. I do not remember.

Q. Would you raise as much as you would use in any two months?

A. Yes, sir.

Q. In three months?

A. I would think so.

Q. Would you raise tomatoes as much as you would use in three months?

A. Yes, sir.

Q. And cabbage?

A. Yes, sir.

Q. Do you raise corn?

A. Yes, sir; we raise all that we use.

Q. Has there been any money expended for canned corn?

A. Yes, sir. When corn is in season we raise all that we use; when it is not in season we buy canned corn.

Q. Do you raise onions?

A. Yes, sir.

Q. You raise all the vegetables you need during the summer months?

A. Pretty nearly so.

Q. How does it come that you draw the same amount of money and the same amount of checks in the summer and in the winter.?

A. As I stated, we run behind in the winter months.

Q. Do you ever run short in the summer?

A. Sometimes, yes.

Q. How much?

A. I do not remember.

Q. You said a while ago three hundred dollars?

A. I did not say three hundred on the maintenance; I said there was one time we did not draw the full amount, by three hundred dollars.

Q. I see; there is a balance not drawn, left to your credit at the end of the month?

A. Yes; somebody has not put a check in.

Q. The checks are signed immediately after you have drawn the money from the State Treasury?

A. Yes, sir; it is drawn from the State Treasury and placed in the bank; but there is some check out that has not gotten into the bank.

Q. Don't you draw very nearly the same amount of money in the summer months that you do in the winter?

A. We do; one-twelfth part of the appropriation.

Q. And the checks are made up to the full amount?

A. Yes, sir.

Q. How does that occur, when you have those vegetables in the summer?

A. Because we run behind in the winter, and make it up in the summer. Supposing we lack three thousand dollars one month in the winter, of paying out outstanding indebtedness, and the next the same, and the next the same way.

Q. If you are behind this month, you do not get that from the State Treasury; next month you are behind three thousand more, three thousand dollars more of bills unpaid; next month, three thousand more behind. Then you have nine thousand dollars of indebtedness outstanding?

A. Yes, sir.

Q. Do you draw nine thousand dollars more out of the next month; when do you pay?

A. It must stand until you can get an appropriation, or pay it by economy.

Q. Do you pay winter bills in the summer time?

A. Why certainly.

Q. Then you say there is just so much appropriated to run the Institution, and you divide it into twelve, and check out one-twelfth of that amount each month?

A. Yes, sir.

Q. Has there not been a balance left there from the amount appropriated in the last two years?

A. No, sir.

Q. Has there been any increase in the expenses of maintenance?

A. Yes, sir.

Q. Since when?

A. The last two years.

Q. Since October, 1887?

A. Yes, sir.

Q. Prior to that?

A. I think so; yes.

Q. About how much?

A. I do not remember

Q. You do not remember who went unpaid?

A. No, sir.

Q. Do you know who is unpaid now, and how much?

A. No, sir.

Q. When you advertise for bids, for instance for potatoes, do you advertise for bids for the amount of potatoes necessary to run the entire month?

A. Yes, sir; more or less.

Q. Are they delivered all at one time, or at different times?

A. They are delivered by the car load.

Q. Is the entire bid filled at one time?

A. That I can not state.

Q. I will ask you if the entire amount of this deficiency in maintenance has not occurred since October, 1887?

A. No, I think there was some before that.

Q. I mean the most of it?

A. I can not say about that; I think it has been two years in accumulating. I can not say that the most of it has not accumulated since October, 1887.

Mr. Brown:

Q. Did you and Mr. Sullivan keep separate accounts between yourselves as to business transactions?

A. Only on a slip of paper, on which I would make memorandums and put it in my pocket.

Q. That is the only means you had of knowing the exact amounts you let him have?

A. Yes, sir.

Q. You had no separate book between yourselves?

A. No, sir.

Q. Are you now able to furnish to this Committee any definite statement of those loans to him?

A. No, sir.

Q. Or the amounts you gave him?

A. No, sir.

Q. Upon some occasions you took checks?

A. I have no checks from him to me that I could furnish to this Committee; those checks are in New York.

Q. So far as you now know, the amounts paid back to you by Sullivan are not the correct amounts, then, are they, as shown by the deposits?

A. The correct amounts have always been paid back.

Q. That is by your recollection; you have no certain evidence?

A. Only the bank book, which shows the amounts paid back.

Q. The bank book does not show the amounts paid by you to him. You have nothing by which you can inform the Committee of the amounts paid by you to him?

A. No; but the bank book shows that every dollar he got of me has come back.

Q. That is just a certain amount, but does not give the balance?

Mr. Burke:

Q. You stated yesterday that the deficiency in the appropriations began about two years ago last November?

A. I think about that time. There might have been some carried over from the year before.

Q. You were trusted with the charge of the funds that belonged to the Institution?

A. There is no deficiency in the funds, as far as that is concerned.

Q. I understand that; but I mean a deficiency in the appropriation. That was not sufficient to cover the current expenses of the Institution. That began about two years ago last November?

A. I think so.

Q. Up to that time the appropriations were sufficient to maintain the Institution?

A. I am under the impression that they were; yes, sir; up to within the last two years.

Q. What was the cause of the deficiency? Or have you made any investigation of the books and accounts by which you can state what the cause of it was?

A. The only real cause we can get at is that goods and almost everything they use has advanced.

Q. What has advanced in price?

A. Flour, for one thing; we used to buy flour for \$4.10; we are now paying, I think, about \$6.55 for the same brand.

Q. When did it first commence?

A. I think as much as two years ago, and then we had a big advance some time ago.

Q. What is the advance in flour from last November two years ago?

A. Flour has advanced, I think, from \$4.10 to about \$6.55.

Q. What brand of flour do you use?

A. They generally use, I think, two brands—a winter wheat and a flour wheat. We mix them together.

Q. What brand of flour?

A. I do not know.

Q. Then how do you know that it is the same brand of flour you were using?

We always advertise for the same grade and the same flour.

Q. What grade of flour were you using, then?

A. We were using the best grades of flour.

Q. Any particular brand?

A. No, sir.

Q. Did your specifications call for any brand of flour?

A. Yes, sir.

Q. Do you know anything about this?

A. Yes, sir, I know it is always the best grade of goods we advertise for. We do not buy any other kind.

Q. You call for the best grade of patent flour?

A. Yes, sir.

Q. You say that particular class of flour is now worth \$6 per barrel?

A. I think \$6.55 or \$6.65.

Q. You use how many barrels of flour a month?

A. One hundred and sixty barrels.

Q. Did the quantity increase any?

A. No. Sometimes it run a little more and sometimes a little less.

Q. Has the number of patients materially increased in the last two years?

A. No, sir.

Q. For the last five years that Institution has had as many patients to maintain, has it not?

A. Yes, sir.

Q. They have never gone over a certain limit, have they?

A. No.

Q. And it has been up to that limit all the time?

A. Yes, sir.

Q. So you use 160 barrels of flour there each month? How many patients have you?

A. We average about 1,560, and about 370 employes.

Q. The employes are all lodged and fed by the State?

A. Yes, sir.

Q. What are they paid a month?

A. From \$12 up to \$125.

Q. Are they all fed with the same kind of food?

A. Yes, sir.

Q. Well, according to your statement now, the price of flour has increased nearly 100 per cent.?

A. I think so; yes, sir.

Q. When the cost of flour increased, did you make any additional estimates for the appropriation?

A. No, sir.

Q. Why did you not do that?

A. There has been no appropriation bills passed for four years.

Q. Was there any appropriation bill introduced in either house four years ago?

A. Yes, sir.

Q. Was it for an increase of appropriation?

A. No, we were getting along very well then. We did not have the same amount of patients there at that time that we have now. The number of patients has not been the same for five years. Those appropriations were made for the accommodation of 1,200 patients, and the appropriations have never been changed since. We have never had any limit, we have always taken as many as we could. We have had as high as 1,600 there, but that was too many.

Q. Did you have 1,200 five years ago?

A. Yes.

Q. Did that number increase?

A. Yes.

Q. And the cost of supplies increased?

A. Yes.

Q. And you never asked for an additional appropriation?

A. No, sir.

Q. Why did you not do that?

A. Four years ago?

Q. Yes, if an appropriation of \$260,000 was only sufficient to maintain the Institution with 1,200 patients. How many had you then?

A. I think then we were running with 1,400 patients; and then we changed the building and took in more patients. The people over the State were asking that more patients be taken in. We made some arrangements, taking a ward for a general dining-room, and using the ten or twelve (eight, I believe,) dining-rooms for sleeping apartments; and in that way we made room for more patients.

Q. The number of patients increased?

A. Yes.

Q. And the cost of supporting the Institution increased?

A. Yes.

Q. Why did not the Board of Trustees ask for an increased appropriation?

A. At that time they were getting along very well with the appropriation, and they did not suppose they would take in any more patients. I remember how much it took to maintain them at 1,400. We turned back something like twelve or thirteen thousand dollars, I think, at the end of the year. That was in 1884 or 1885.

Q. The appropriation was for \$260,000, and you run it for \$13,000 less than that?

A. Yes, sir.

Q. Did you make any recommendation to the last Legislature for an increase of appropriation?

A. I think we did.

Q. Do you know whether you did or not?

A. Yes, I know the Superintendent did. Now, while I think of it, they have increased the diet of milk, and we now pay about \$700 for milk, where formerly we only paid \$100 or \$150. The Superintendent recommended this. I do not know why they substituted milk.

Q. Then the increased cost of milk was \$500?

A. Yes.

Q. Was there any corresponding decrease in any other article used there?

A. I could not find any.

Q. Was it used in place of coffee or tea, or any thing of that kind?

A. Yes.

Q. Did it cost you less to supply the Institution that month?

A. I would think it would.

Q. Did it, as a matter of fact, cost you less that month?

A. I think so.

Q. Did it?

A. I can not state positively.

Q. You are a Trustee of the Institution, and passed upon those estimates?

A. Yes, sir.

Q. Did you inquire whether or not it would be a saving in any class of food?

A. I do not think it decreased the amount of tea or coffee used; for there are a great number of patients who did not drink tea or coffee, but did drink the milk; and by giving them the milk, the expense was increased.

Q. Who supplies the milk?

A. Two parties.

Q. Who are they?

A. A man by the name of Tomlin and a man by the name of Fletcher.

Q. Are they the only ones that supply milk to the institution?

A. One supplies buttermilk and the other supplies sweet milk.

Q. Where is their place of business?

A. I can not say; it is in this county.

Q. How many gallons of milk does the institution use a month?

A. If you will get that report I will tell; I can not remember all of those things. Here is \$492.70 in one month for milk; that is in October.

Q. In what year?

A. 1888. Now wait and I will give you the buttermilk; \$202.70 for buttermilk.

Q. That was nearly \$700 in all?

A. Yes.

Q. How much do you pay for it?

A. Thirteen cents a gallon for sweet milk, and nine and three-fourth cents a gallon for buttermilk.

Q. Was there a standard of milk that they agreed to supply?

A. Yes, sir; they are to give us sweet milk as it comes from the cow; and I suppose the buttermilk is all of the same standard.

Q. You paid thirteen cents a gallon for that milk?

A. Yes, sir.

Q. Did you ever examine the milk?

A. Yes, sir, I have.

Q. Is it pretty good milk?

A. Yes, sir.

Q. How many times did you examine it?

A. I have examined it frequently.

Q. How frequently?

A. Well, I usually drink a glass of it when I am out there, once or twice a week.

Q. Are there any cows belonging to the Institution?

A. No, sir.

Q. Do you know that the kind of milk you get is the same kind furnished to the patients?

A. Yes, sir.

Q. Did you ever drink any of the buttermilk?

A. No, sir.

Q. So you do not know anything about that?

A. No, sir.

Q. Did you drink this milk because you like milk, or in order to inform yourself as to whether the contract was being carried out?

A. More to inform myself than anything else.

Q. Where did you drink it?

A. At the table or in the ice house.

Q. How do they keep it?

A. They keep it in cans.

Q. Did you go to any particular can, or did you just go and take it out of any can?

A. No, I did not go to any particular can.

Q. How often have you done that?

A. I do not remember.

Q. How often?

A. I suppose, in all probability, twice a year.

Q. At stated periods?

A. No, sir.

Q. Was anyone with you—any of the other Trustees?

A. I do not remember. My impression is that Dr. Harrison was with me a time or two.

Q. It was just a semi-annual investigation of the condition of the milk and other things. Well, did you examine the flour and see whether it was first-class?

A. On that we took the report of the baker.

Q. Was there ever any rejected?

A. Sometimes we sent flour back.

Q. How often, and when?

A. I do not know—several times. I can not state the months.

Q. Can you tell the last time?

A. No, sir; but I remember that flour has been sent back often.

Senator Howard.

Q. I understood from the examination by Mr. Fields that Mr. Sullivan had of you, of the State funds, from one to eight thousand dollars a month?

A. That is what he made it, yes, sir.

Q. How long a time had he been receiving money that way from you?

A. I suppose about a year.

Q. Not before that?

A. Maybe a little bit over a year.

Q. How long a time intervened between your giving him this money and your realizing on the checks returned to you; what was the average time?

A. I did not have the checks returned; I always got credit for them then and there.

Q. The credit was immediate to you?

A. Yes, sir.

Q. Have you ever lost any on these transactions, except this three thousand dollars?

A. That is all; not in any at all. Everything is all straight there except that three thousand dollars.

Mr. Pleasants:

Q. Did not the Board require the Treasurer to give an additional bond?

A. No, sir.

Q. Don't the Statutes, in their by-laws, provide for the filing of a bond?

A. No, sir; we looked that over, and there is no law requiring an additional bond.

Q. Section 2872 reads (here reading.)

A. That is the Superintendent.

Q. Is not the Treasurer of the Board an officer of the Institution?

A. No, sir.

Mr. Henry:

Q. Did you not want an additional appropriation two years ago, over and above what you were receiving?

A. Yes, I think we did.

Mr. Brown:

Q. Do I understand that you have turned your checks over to your attorney, Mr. Spaan?

A. No, sir; I simply left them in his office because they were bulky.

Q. Yesterday, or day before, or recently?

A. Yesterday, that is all the checks I have on this subject.

Q. You have been in the habit of taking your checks there prior to this time?

A. No, sir; I always take them home to check them up, and then take them out to the asylum.

Correction by witness:

I want to correct a statement of yesterday. I stated that the Superintendent used of the contingent fund, on an average of about \$1,000 a month. It is about \$200 instead of \$1,000 a month.

Mr. Conn.

Q. Have you any knowledge that that fund was ever loaned to Mr. Sullivan at any time?

A. I understand it was at one time.

Q. More than one time?

A. That is all.

Q. Was it paid back?

A. I believe it was.

Q. Who loaned it?

A. I suppose Dr. Galbraith did. He had charge of it. It was not a loan, it was an advance. I think at that time the Asylum owed Mr. Sullivan something over two thousand dollars, and Dr. Galbraith advanced that to him until the next Board meeting. It was lying in the bank and doing no good, and he let him have that amount.

Q. At the next Board meeting you allowed Sullivan's voucher, and repaid Dr. Galbraith?

A. Yes, sir.

Q. Before this Board meeting had Mr. Sullivan paid that money back to Dr. Galbraith?

A. He paid it back, I know that.

Q. Did he have any difficulty in getting it back?

A. I think not; I never heard of any trouble.

Witness excused until 1:30 p. m., February 27th, 1889.

Dr. Harrison requested to be present at that time also.

Committee adjourned, 5:30 p. m.

INDIANAPOLIS, IND., WEDNESDAY AFTERNOON, Feb. 27, 1889.

Capt. Richard F. Fuller, of New Albany, Ind., sworn in as expert accountant.

Committee called to order at 2:05 p. m., Mr. Conn acting as temporary chairman in the absence of Chairman Burke.

Present: Messrs. Conn, Howard, Shockney, Fields, Henry, Pleasants, and Brown of Henry county.

Mr. Philip M. Gapen resumed the witness stand, and testified as follows:

Examined by Mr. Hays:

Q. Mr. Gapen, that is the statement of orders you filed the last time you drew money from the Treasury, is it not?

A. Yes, sir.

Q. I will ask you to state if the amount of that claim has all been paid?

A. No, sir; not all of it; it lacks the three thousand dollars I spoke of yesterday.

Q. On whose accounts?

A. That I can not tell you.

Q. You issued checks for all these claims at the time?

A. Yes, sir.

Q. Have the checks not been returned?

A. No, sir; not all of them; part of them have. Those making the three thousand dollars have not been returned.

Q. Well, the checks that have not been paid; do you know who has not received their money?

A. No, I have no statement of that.

Q. All the checks that have been paid are returned, are they not?

A. Yes, sir.

Q. Your bank book is checked up to what date?

A. Up to yesterday, I think, February 25.

Q. Your checks that have been paid are all returned?

A. Yes, sir.

Q. Why, then, are you unable to tell what ones are out?

A. I have not examined them; have not gone over them.

Q. I wish you would look at them and tell me this is right as to the claims due those parties?

A. I can not tell; some of the claims are divided. I do not remember the full amounts.

Q. Has that of John E. Sullivan, for \$2,371.06, been paid?

A. Yes, sir. I think that was the full amount due him.

Q. I see a claim of C. J. Gardner, for meat, \$913.73; was that for meat during that month?

A. I am under the impression it was.

Q. Has that been paid?

A. I think not.

Q. Where does Mr. Gardner live?

A. I think here in the city somewhere; I am not acquainted with him.

Q. Here is a claim of H. S. Tomlin, fresh milk, \$641.55, was that paid?

A. I understand that was not paid.

Q. Was that all in January?

A. I do not remember now whether it was in December or January; I think it was January.

Q. Was that the full amount of his bill at the time it was allowed?

A. I am under the impression that it was.

Q. Are you acquainted with him?

A. I have seen him once or twice.

Q. What business is he in?

A. I understand he is in the dairy business.

Q. Is he the agent of some one else, or is he in business for himself?

A. I can not say.

Q. Do you know Mr. Flack?

A. Yes, sir; I think Mr. Flack transferred his dairy to Mr. Tomlin.

Q. Had he been in the employ of Mr. Flack before that time?

A. I think he had; yes, sir.

Q. Do you know at what time the transfer was made?

A. I think it was about the time the Governor appointed Mr. Flack Trustee out there.

Q. About the same time?

A. I think so; maybe a little after that

Q. Had Mr. Flack been furnishing milk to the Hospital before that?

A. Yes, sir.

Q. Was Tomlin in Mr. Flack's employ, prior to the transfer?

A. I understand so; yes, sir.

Q. Has there been any change in the way the business was conducted?

A. I think not.

Q. Do you know if Flack really has any interest in the business, or is a figure-head?

A. I have no way of knowing.

Q. Here is Murphy, Hibben & Co. Is that the full amount of their claim, \$86.12?

A. I am under the impression that it is not; but I do not know.

Q. Have you any knowledge as to what the amount of their bill was at that time?

A. No, sir; only from that statement. I do not know whether that was the full amount of their claim or not.

Q. J. A. Church, flour, \$1,029.30. Is that the full amount of Church's claim?

A. I do not know.

Q. Was that bill all for the month of January?

A. I think so, yes, sir.

Q. Was that amount of flour used in the month of January?

A. I think there was that amount, if not more.

Q. D. Brian & Company, ham, \$749.90; they are a firm in business here?

A. I think so.

Q. Was that the full amount of their claim?

A. I can not say.

Q. Do you know how much they furnished to the Institution during the month of January?

A. No, sir, not at the present time.

Q. W. G. Wasson, coal, \$1,084.29; is that the full amount of his bill?

A. I am under the impression that it is.

Q. Has that been paid?

A. Yes, sir.

Q. Thomas S. Galbraith, contingent expenses, \$221.17; has that been paid?

A. I think so.

Q. Thomas S. Galbraith, Superintendent, \$6,943.11; has that been paid?

A. I think it has.

Q. With a statement of the regular fund, \$1,250; have those amounts been paid?

A. I can not tell.

Q. You have your checks, have you not?

A. Yes; Mr. Henry has them there.

Q. I wish you would look over your checks for the last month and see what has been paid, and what not. Thos. S. Galbraith, \$230, repair fund; has that been paid?

A. That is here in the book, but I have not the check.

Q. Here is Thos. S. Galbraith, \$217?

A. That is clothing fund.

Q. Wadham's Oil & Grease Co., No. 23, \$10?

A. That I have not got; I think that has not been paid.

Q. F. M. Dell & Co., \$42.70?

A. That is right; paid.

Q. M. Hartman, \$23.40. has that been paid?

A. No, sir; I do not see it here.

Q. Taylor & Sullivan, \$14; paid?

A. Yes, sir; that is right.

Q. Hildebrand & Fugate, \$197.21?

A. Paid.

Q. Kruse Bros., \$58.29?

A. No, sir; I do not see that here.

Q. M. J. O'Riley, \$27.20?

A. No, sir; I do not see that here.

Q. H. T. Hudson, \$377.13?

A. Yes, sir; that is here.

Q. Is that Senator Hudson?

A. Yes, sir.

Q. Is that the full amount?

A. I can not state positively; I am under the impression it is.

Q. Henry Coburn, \$270.07?

A. That is paid.

Q. Is that the full amount of his bill?

A. I could not state.

Q. D. P. Erwin & Co., Dry Goods, \$383.78?

A. That is paid.

Q. C. A. Bush, Cobbler, \$28.45?

A. That is paid.

Q. Murphy, Hibben & Co., \$86.12?

A. That is paid.

Q. Kirwin, Stoddard & Bro., Philadelphia, Penn., \$284.65?

A. That is not here.

Q. Rev. W. A. Hendrickson, \$20?

A. I think that has been paid, but I do not see it here.

Q. He still holds a check for that sermon?

A. Yes, sir.

Q. What was that for?

A. Preaching.

Q. To the Trustees?

A. No, to the inmates; the Trustees do not need any sermons.

Q. How many sermons does that cover?

A. Four.

Q. The Hunt Soap Company, \$335.86; has that been paid?

A. Yes, sir, that is right.

Q. Was that the full amount of Hunt's claim?

A. I am under the impression it is.

Q. Henry Pence, sweet potatoes, \$126?

A. That is right.

Q. Gas Company, fuel gas, \$916.67?

A. That is paid.

Q. The Indianapolis Company, \$619.75?

A. Paid.

Q. W. H. Bennett & Son, stoves, \$39.30?

A. That is paid.

Q. E. B. Reed, newspapers, \$20?

A. Paid.

Q. What is that for?

A. Newspapers for the inmates; that is for the "People," the weekly paper here.

Q. How many copies do you take?

A. I believe it is ten.

Q. Do you think that is pretty good reading for crazy people?

A. About as good as anything.

Q. Charles Top, buttermilk, \$219.28?

A. That is here.

Q. Do you use \$219 worth of buttermilk in thirty days?

A. Yes, sir.

Q. How much do you pay for it?

A. Nine and three-quarters cents a gallon.

Q. Is that paid?

A. It is not here.

Q. Indianapolis Journal, \$46.55?

Q. Is that for newspapers also?

A. Yes, sir. Well, it may be something else; it may be exchanges or something of that kind. We subscribe to the paper and we buy their exchanges after they have gone over them, and those that have not been clipped we buy for the patients. They get papers from all over the State.

Q. J. R. Ryan & Co., \$54 for oats?

A. That is paid.

Q. Kipp Bros, \$180.65. What is that for?

A. That was for some fireworks.

Q. For what purpose?

A. The Fourth of July, 1887.

R. What was the matter with that bill?

A. There were some objections and so we would not pay it, We finally paid it on the recommendation of Governor Gray. Mr. Lemcke and Mr. Griffiths.

Q. J. E. Sullivan, \$2,371.06?

A. Yes, sir, that is paid.

Q. Have you the check for it there?

A. No, sir, but I have it.

Q. Why is that not with the other checks?

A. Because it never went to the bank.

Q. It bears the same date as this?

A. Exactly, yes, sir.

Q. Whom was it payable to?

A. Mr. Lemcke, most of it. He had gotten money from the Treasurer of State with the understanding that it was to come out of that, and Mr. Lemcke took the money out.

Q. Was it taken out of the money paid you on your warrant.

A. Yes, sir. Mr. Sullivan made an arrangement with Mr. Lemcke, and the account was turned over to me by Mr. Sullivan to fix that with Mr. Lemcke, which I did.

Q. Where is the check you issued at the time you drew these checks?

A. That is up at the house; I will get that.

Q. To whom is that drawn?

A. To J. E. Sullivan.

Q. Has it ever been canceled?

A. No, sir.

Q. You signed it?

A. Yes, P. M. Gapen, as Treasurer.

Q. And it is still outstanding?

A. No, sir, it has been paid.

Q. Who paid the check? Has it ever been presented at the bank?

A. No, sir, it never went to the bank; that amount of money did not go into the bank. Mr. Lemecke took that money out of the funds I drew. I kept the check; the bank did not have it to cancel.

Q. Why has it not been canceled?

A. Because it was neglected. It has been in my possession all the time; has never been out of my possession.

Q. This check, as I understand it, was drawn at the time your checks were drawn, to make up the \$21,666.66?

A. That is right, yes, sir.

Q. And it constitutes a part of that amount?

A. Yes, sir.

Q. Now you say you understood there was an arrangement with Mr. Lemecke by which that much was to be deducted from your warrant?

A. I understood that to be the case.

Q. Now, when you presented your warrant to Mr. Lemcke was that amount deducted?

A. Yes, sir.

Q. Why was that check drawn at all?

A. It simply had to go through the regular routine.

Q. That check was drawn on the Meridian National Bank, on your account as Treasurer?

A. Yes, sir.

Q. That check would not have to go through the bank, because the money would not go through the bank?

A. The check would have to be drawn in any event; it was simply routine business.

Q. What disposition did you expect was to be made of this check, when you knew that amount was to be deducted from the amount to be drawn from the Treasury?

A. I intended to cancel it. I did not intend for it to go through the bank at all.

Q. Was there anything routine about that, for you to draw that check?

A. It shows the regular business in the regular way.

Q. It did not go away?

A. No, it did not go away.

Q. Did you receive, or deliver it to Mr. Sullivan?

A. I drew the check in order to go through the regular routine of business.

Q. It would have to go through the bank to make it go through the regular routine, would it not?

A. No, I could cancel it. After I scratch my name off, it shows it has been paid.

Q. It does?

A. Yes, sir.

Q. Then you draw a check and sign your name to it, and then scratch your name off; does that show it has been paid?

A. If it has never gone through the bank and the name is scratched off, it shows it.

Q. When was the order that you took up drawn?

A. I do not know.

Q. How long before Mr. Sullivan went away?

A. I can not tell you.

Q. Was it drawn the same day he left?

A. Why, certainly not; not by any means.

Q. You do not know when it was drawn?

A. No, sir; some time during the month.

Q. Had you any arrangement with Mr. Lemcke before that time, that he was to take this amount of money out?

A. I simply accepted the order for the payment for the goods that Mr. Sullivan delivered. I drew the order on myself and accepted it.

Q. Did any one else see it but you?

A. I do not remember.

Q. Did any one else see this check before you got this money?

A. I think not.

Q. You drew the order on yourself, and accepted it yourself, and drew the check yourself and still have it, signed by the Treasurer, and, and payable to John E. Sullivan?

A. Yes, sir.

Q. Was this amount of goods, \$2,371.06, furnished by Mr. Sullivan in January?

A. Yes, sir.

Q. Do you know, of your own knowledge, that they were furnished?

A. No, sir; only from the report of the Storekeeper and Superintendent.

Q. Were they furnished from the house with which you were doing business?

A. I suppose so; yes.

Q. Does that cover all the amount due Mr. Sullivan?

A. Yes, sir.

Q. Was the bill for January low; what was the difference between that and the bill for the last goods furnished the hospital by Mr. Sullivan?

A. I do not remember.

Q. What was the date of Mr. Sullivan's departure?

A. I think about the 30th of January. I think that was the last time I saw him.

Q. Have you the contracts for those goods with you?

A. No, sir.

Q. Did Mr. Sullivan sign a receipt for this money, in addition to the order given to Mr. Lemcke?

A. He signed the voucher.

Q. Did he sign that, Mr. Gapen, or did you sign it?

A. I did not; no, sir.

Q. Was that made out before Mr. Sullivan went away?

A. Yes, sir; I think so.

Q. Here is a claim of H. H. Lee, \$2,545.61; has that been paid?

A. Yes, sir.

Q. Was that the full amount of his claim?

A. I can not state; I think so.

Q. P. F. Brice, crackers, \$235.43?

A. That is paid.

Q. Booth Packing Company, oysters, \$469.80; was that paid?

A. I do not see that here.

Q. That is not paid?

A. No, sir; I think not.

Q. Does that represent the full amount due the Booth Packing Company?

A. I can not say. I think it does.

Q. Does that cover the bill for that month?

A. I think it does.

Q. C. J. Gardner, meat?

A. That is not paid.

Q. H. S. Tomlin, milk?

A. That is not paid.

Q. Murphy, Hibben & Co., dry goods, \$883.67; has that been paid?

A. Yes, sir.

Q. Does that represent the bill for one month alone?

A. I can not state.

Q. Does it represent the full balance due them?

A. I can not say.

Q. J. Church, flour, \$1,029.30?

A. Paid.

Q. D. Brian & Co., hams, \$749.90?

A. That is right.

Q. Does that represent the full amount of their account?

A. I can not say.

Q. Herman Stout, \$143.60?

A. Paid.

Q. B. H. Myers, mules, \$300.00?

A. Paid.

Q. Is that for maintenance?

A. Mules to work on the farm.

Q. Indianapolis Ice Company, \$80.19?

A. Not paid.

Q. Renihan, Long & Hedges, coffins, \$20.00?

A. I do not see that check here.

Q. Hollweg & Reese, \$199.24?

A. Not paid.

Q. Does that represent the full amount of their bill?

A. I am under the impression that it does.

Q. Wasson's coal bill, \$1,084.29; was that for coal for the month of January?

A. I think it was.

Q. Did you use that much in that month?

A. We did not use it at all.

Q. What do you mean by that?

A. I mean that we do not use it; but keep it on hand, in case the natural gas should give out.

Q. Did you put it in in December or January?

A. One of those months, I do not remember.

Q. Does that represent the amount due them?

A. I think so.

Q. Geo. W. Scott, manure, \$43.50?

A. Paid.

Q. Did you find Galbraith's check for \$221.17?

A. Yes, sir.

Q. Galbraith, \$6,943.11; has that been paid?

A. I suppose it has; yes sir.

Q. Have you a check for W. B. Burford for \$214.15?

A. Yes, sir.

Q. Here is a check drawn to your order, for \$22.72.

A. Yes; that was a balance remaining in the bank when I went over to protest a check. I drew two checks. I went over to the bank to get the balance; they said it was \$22.72. I drew that amount and then drew this check in order to have them reject it.

Q. That does not correspond to any order from the Board?

A. No, sir; that was a balance remaining in the bank, of the State funds, and I drew that to protest what was in the bank.

Q. You were mistaken the other day then, when you said you had no money belonging to the State on hand?

A. Yes, that was a mistake. I had forgotten about this balance.

Q. I want to call your attention to this statement. There is a statement for the month of December. Were all the claims there set forth paid?

A. Yes, sir, all except the February contract. If you will take that you will find the difference between what you marked out and the \$3,043.

Q. Then you state in general terms that all the orders drawn on the Treasury are paid, with the exception of the \$3,043.

A. That is what I state, excepting this \$22.

Q. That leaves a balance of money in your hands belonging to the Hospital?

A. Yes.

Q. I will ask you if the \$22.72 in money is not already covered by checks which you had drawn before that?

A. Yes, that would go in that three thousand dollars. You just charge that up and you will find that will make the books square.

Q. What arrangement has been made by the Treasurer to meet these checks that you drew, and which have not been paid?

A. There has not been any arrangement made, only suit brought against the bank to compel them to pay us.

Q. Mr. Gapen, has there been any increase in the number of employes of the Institution in the last three or four months?

A. I think not; no, sir.

Q. Any changes in the salaries of the employes?

A. I think so; yes, sir.

Q. In what particular?

A. I do not remember; four or five or six salaries were advanced.

Q. What was the occasion for that?

A. The Board came to the conclusion that they were not getting enough.

Q. Was there any difficulty in getting men to fill their places at the salaries you had been paying them?

A. No, it would not have been difficult to get men to take their places.

Q. Would there have been any difficulty in keeping those men out there at the salaries you had been paying them?

A. I do not know. The druggist tends to the drug store and telephone wires and other matters, and you can not take up any man to do that; it takes a man of experience—one who knows the places and the wires, and everything of that kind.

Q. In what other particular cases were there increases in salaries?

A. I do not remember. I remember that four or five or six salaries were increased. There was a night watch whose salary was increased from \$20.00 per month to make it nearer to the other night watches.

Q. I see the pay-roll that you made out for the Superintendent for the month of January is \$267 more than the pay-roll for December. Was there that much increase in salaries?

A. I do not know, but I do not think there was, unless there has been some extra help put on; and, of course, that I could not state unless I could see the Superintendent's report.

Q. You are not able to explain the cause of the increase?

A. No, sir; I know that there were some salaries raised; but I do not think it was that much. I know it would be some thirty or forty dollars.

Q. You know there was an increase of that much?

A. Well, that will happen at almost any time of the year. You will hardly ever find the pay-roll the same. I do not think you will find a pay-roll the same in the six years that I have been there.

Q. What occasions the difference?

A. Sometimes some quit and go away, and they run along without them until they put some one in their place, and things of that kind.

Q. Is it an increase of \$250 a month?

A. Well, I can explain that too. There was another doctor put on there; that is one hundred dollars.

Q. How many doctors have you had out there at the Institution?

A. I think there are five besides the Superintendent.

Q. Now?

A. Yes, sir.

Q. How many before January?

A. Four, besides the Superintendent.

Q. How long were there only four out there?

A. Well, I think for two, three or four months; I do not remember.

Q. Who was the additional doctor put on there in January?

A. I think his name is Waters.

Q. Do you know why the increase of \$267 over the previous month occurred, except the one hundred dollars for Waters, that would leave \$167?

A. I suppose the \$67 increase was due to the raise of salaries; and the pay-roll is liable to vary \$100 a month or more. There is perhaps more variation than that in the pay-rolls all the way through.

Q. You were asked something yesterday about the contingent fund. What is the amount of the contingent fund, in the hands of the Superintendent?

A. Two thousand dollars.

Mr. Henry:

I will say this: I do not care to examine Mr. Gapen until we have all of the checks here. There is part of October and some of the November and September checks gone. I would prefer not to make any examination of Mr. Gapen until the checks are here and I have thoroughly examined them.

Q. I believe you stated, Mr. Gapen, that the rest of the checks were at the Hospital?

A. Yes, sir.

Q. I notice that a number of the checks are taken out between September and January. December checks are here, but November checks are gone, and so are October and part of September checks, and for the month of November there are no checks at all. I find none here for November?

A. How many are gone?

Q. There are no checks there for November?

A. November, 1888?

Q. Yes, sir. I would like to have the checks from October, 1887, up to the present time.

A. I think those checks are out there in all probability. They did not get them or something.

Q. Well, you can bring them to the committee some time. I do not care to examine you on this question until we get the checks.

Mr. Fields :

Q. I want to ask about a matter that you were asked about yesterday. You say you went into the employ of Mr. Sullivan in October, 1887 ?

A. I think so ; yes, sir.

Q. Why did you go into his employ ?

A. He wanted to employ me ; said that he had more business than he could attend to, and wanted to get me to make out his checks, drafts, bills of lading, etc., on New York.

Q. When was he elected Clerk of Marion County ?

A. In 1886, I think.

Q. In November, 1886 ?

A. Yes, sir.

Q. And he did not employ you until a year afterward ?

A. Yes, sir.

Q. Had he been engaged in the same business ever since he was elected Clerk ?

A. Yes, sir.

Q. And for years before ?

A. Yes, sir.

Q. Do you know anything about his business increasing ?

A. Oh yes, it increased largely, that was my understanding about this matter.

Q. You say he was hard up ever since you had known anything about his business ?

A. No, I did not say that ; but that he was like all business men, and occasionally got hard up.

Q. I understood you to say he had been hard up for a year or more.

A. No, I did not say that.

Q. Had Sullivan known anything about your style of drawing checks, ten days after date, before he employed you ?

A. I think so ; he had gotten checks of that kind himself.

Q. And they were not paid until after ten days, were they ?

A. I suppose not.

Q. You had paid him frequently, had you not ?

Q. Prior to your engagement with him ?

A. No, sir.

Q. Had he not furnished produce and poultry to the Institution ?

A. Yes, sir; but Mr. Hall generally gave him his check, or he sent out for it.

Q. Did you ever pay him otherwise than in checks prior to your engagement with him?

A. No, sir.

Q. Did he say anything to you about your having the right to use the money for ten days?

A. No, sir.

Q. Was anything said about his getting money from you?

A. Not a thing.

Q. When was the first time he got money from you?

A. I do not remember.

Q. Was it the same day that you were employed?

A. I think not.

Q. What did he say to you when he came to you for money the first time?

A. He just asked me for money.

Q. Did he say what fund it would come out of?

A. No, sir.

Q. Did you have surplus money of your own?

A. No, sir.

Q. Then he asked you for the money of the State when he asked you to let him have money?

A. I can not say about that.

Q. He just said to you that he wanted so much money?

A. I can not remember what he said.

Q. Can you recollect how much you first let him have?

A. No.

Q. Did you know what he wanted it for?

A. No, sir.

Q. Do you know anything about his financial condition when you went in with him.

A. No, sir; nothing.

Q. He was to give you \$25 a week?

A. Yes, sir.

Q. Was that to be determined in relation to his profits?

A. No, sir.

Q. That would amount to \$1,200 a year, about?

A. I think about \$1,300.

Q. Did he have anybody in the same capacity before you went there?

A. Yes, sir.

Q. Who was he?

A. Mr. Woollen.

Q. How much did he pay him?

A. I do not know.

Q. Did he discharge him?

A. No, sir.

Q. Did he still keep him?

A. Yes, sir.

Q. You were an additional expense?

A. No; he sent Mr. Woollen to Terre Haute to take charge of his branch house there.

Q. Was his house in Terre Haute engaged in the same business as here—simply a branch of this business?

A. Yes, sir.

Q. Were there any goods furnished from Terre Haute to the Asylum?

A. I think not—no.

Q. Did Sullivan tell you, at the time he employed you, that he was short of money, or did you know it?

A. No, sir, I did not. I do not remember of his saying anything of that kind.

Q. If Sullivan had said anything on that subject to you, or about your letting him have money, would you not remember it?

A. But I know he did not. That did not have anything to do with the deal.

Q. He had no intention of employing you to get money from you?

A. What he thought, I can not tell.

Q. So far as you know?

A. There was nothing of that kind, so far as I know.

Q. Shortly after you went there he began to borrow the funds?

A. I think so.

Q. When he asked you for money, it did not arouse your suspicions that he had engaged you for that purpose?

A. No, sir.

Q. And when he kept it up it never occurred to you that he had hired you because you were able to control the State's money for him?

A. No, sir.

Q. Did this bill, running ten days, ever draw interest? Are those deficiencies which you say amount to twelve or fifteen thousand dollars, drawing interest?

A. No, sir. While we are on that I want to make a statement. In my testimony yesterday, I stated that the deficiency had been accruing for two years. In looking over the reports last night, at home, I found that it run something like \$6,000 in 1886.

Q. That deficiency you say was due to the fact that the appropriation was not large enough to pay expenses?

A. Yes, sir.

Q. Had there been any increase in the repairs?

A. Yes, I think we have been increasing the repairs ever since we have been out there.

Q. Making more repairs each year than the preceding year?

A. Yes, sir.

Q. The repairs of each succeeding year are greater than the repairs of the preceding year?

A. Yes, sir.

Q. Why did the expenses increase, when you only made the same repairs each year?

A. I do not know that they increased in the repair fund, but they did increase in the maintenance; there were more patients and more employes, and goods advanced.

Q. When did goods advance?

A. I can not remember.

Q. Is it not a fact that groceries and every article of maintenance in that Institution have been lower in the last six years than any time in the last twenty years?

A. No, sir, I think not.

Q. Have not groceries been cheaper in the last six years than they have been in the last twenty years?

A. No, sir; I know they have not. Last year we paid about 90 cents for potatoes. My recollection is that we paid as high as 90 cents for them.

Q. How low have you bought them; as low as 25 cents?

A. No, sir.

Q. As low as 30 cents?

A. No, sir; we bought some at 35 cents.

Q. Was not the crop in 1888 very large?

A. I do not know.

Q. Were not potatoes very low last fall?

A. I think not.

Q. You say there are about fifteen hundred patients out there?

A. Between 1,500 and 1,600—about 1,560.

Q. Do you make your assessment for each month's supply upon that number, including employes?

A. Yes, sir.

Q. Is it not a fact that there are at least 100 patients on parole all the time?

A. No, sir; I think not.

Q. How many?

A. About 60.

Q. Then you make your estimate for 1,560, and there is an average of 60 on furlough. Why do you make your average that way?

A. We make our averages up more or less.

Q. Why do you make an estimate on what you know to be a false basis?

A. We do not; the Superintendent makes the estimates.

Q. Are you not one the people whose duty it is to see that the repairs are made properly?

A. No, sir.

Q. Is it not your business to see that things are done right?

A. No, sir; the law makes that the Superintendent's business.

Q. Does not the law put you over the Superintendent?

A. Yes, sir.

Q. Then why do you say it is none of your business?

A. Making of the requisitions is none of our business; and those requisitions are all made more or less.

Q. Why do you make them on a false basis?

A. That is not putting it on a false basis.

Q. You say you know there are only 1500 there, and that 60 of them are not there, is not that a fact?

A. Yes, it is a fact; and I tell you I suppose it was made on that basis; I do not say it was made on that basis, but I suppose it was; but even if you make it on that basis, more or less, what difference does it make. Supposing we want 3500 pounds of coffee; that is all we get. If we want 4000 pounds of coffee we get it. These goods are not all delivered at one time.

Q. How do they deliver potatoes?

A. I think by the car load.

Q. Have you ever known a car load of potatoes to be brought there at one time?

A. Why certainly.

Q. Taken out by wagon loads?

A. No, sir; taken out in a car.

Q. When you buy potatoes in this city, do you have them shipped out by the car load? You do not have the entire amount of potatoes for a month shipped out there at one time?

A. Yes, sir.

Q. Are you not mistaken about that?

A. No, I know we have car-loads of potatoes there.

Q. Do you know that each month's supply of potatoes are shipped at once?

A. I think, as a rule, they come there by the car-load lot more than any other way.

Q. When the cooks made a requisition on the Storekeeper, he telephones to town and they send out a wagon load. Is not that a fact?

A. They may in some cases.

Q. Is not that the rule?

A. No, sir; I do not think so.

Q. There is never more than two thousand people out there are there?

A. I think not.

Q. Well, if there are not more than two thousand people, and the estimate of a ration of coffee as made out there for two thousand people would amount to three thousand pounds, your estimate of 3,500 pounds of coffee would be high, would it not?

A. I would think not.

Q. Does the amount of coffee vary, very materially?

A. No, sir; not a great deal, and yet it might.

Q. Under what circumstances?

A. I can not state.

Q. Can you conceive of any circumstance by which it would vary as much as 500 pounds?

A. No, I do not think so.

Q. Is there more coffee used in winter or summer, or less?

A. I do not know.

Q. On the subject of presenting bills, I believe under the law the Board has the right to reject any or all bids.

A. I believe so, we claim the right to do it.

Q. Have you exercised the right of rejecting a lower bid and accepting a higher?

A. We have in some few cases.

Q. Have you any rules in reference to requiring these bids in writing?

A. They are all in writing.

Q. I was looking at the bids for eggs and butter; Sullivan's last bid, whose handwriting is that?

A. It is the writing of a man by the name of O'Neall.

Q. What relation did he hold to Mr. Sullivan?

A. He attended to all that part of the business.

Q. In whose writing are the other figures?

A. They look like Sullivan's figures.

Q. I find that the body of the bid is in writing, and the amounts are carried out in lead pencil.

A. Mr. O'Neal may have made out that bid and passed to Mr. Sullivan, and he put the prices on it. I do not know how else it could have been done.

Q. Did his bids ever come in without the amounts fixed as to price?

A. I have not seen any that I know of, or handled any that have been thrown out on account of not having the prices. There are a great many bids that come in with extensions, but the prices are all there.

Q. Where does this firm, J. R. Budd & Co., have their place of business?

A. They are here in the city.

Q. Can you explain how it is that these two bids were exactly the same for January, 1889?

A. No, sir. We have frequently had bids of that kind; always have them on crackers.

Q. How was it in reference to Sullivan's bids?

A. That I can not tell.

Q. Did Mr. Sullivan ever make a bid while you were in his employ that went before the Board and was rejected?

A. That I do not remember; I think he has.

Q. I see on the back of this bid of Sullivan's "accepted," "Gapen and Harrison voting yes, and Burrell voting for Budd?"

A. That was the way we decided it; yes, sir.

Q. You usually had the casting vote when it came to Sullivan's bid, did you not?

A. I think that was the first time that occurred.

Q. And the last time, too?

A. Yes, sir.

Q. I see the amount here is \$1,770; the amount you paid him that month was \$2,300. Explain the deficiency?

A. That was in January, was it? I will explain that. At the Hospital, always, on Christmas we give them a fowl dinner—chickens, turkeys and things of that kind—and they got that much extra above the usual amount for the month.

Q. But was it not after Christmas that you determined on this bid?

A. That says January, before the Board met. It must have been in December, according to this.

Q. That was after Christmas?

A. Well, I don't know how to account for it unless we bought more goods than usual.

Q. Can you explain the difference in the January and December bids—\$500 difference?

A. The only way I can explain that is that we may have taken more butter or hams, 2,000 pounds; we may have taken 3,000 pounds; 2,000 dozen of eggs, might have been 3,000 dozen.

Q. Do you use more in one month than in another?

A. That I cannot tell you; the Superintendent can probably explain that better than I can.

Q. That is about \$5,000 more?

A. Yes. What is the date of that schedule, the one of the \$28,000?

Q. That is January 28.

A. Well, that was for December; that explains that.

Q. What was your January bid on butter?

A. Twenty-six cents.

Q. What is the December bid?

A. Well, there may be a difference of three or four cents a pound; a difference of two cents in eggs or three cents in chickens. \$2,371.06, January bid; \$2,816.28, December bid.

Mr. Pleasants:

Q. You said that you sometimes rejected bids that were lower than other bids?

A. If they be lower than the goods can be furnished, for the class of goods we want, then we reject the bid. They are probably bidding on an inferior class of goods.

Q. Does not your Storekeeper have the right to reject goods?

A. Yes, but that is a great deal of bother.

Q. But is he not there for that purpose?

A. Yes.

Q. Then what difference is it to the Board whether it is any bother to him or not?

A. Well, some times you order out twenty tubs of butter. The butter comes, and it is not fit for use. You are out of butter for that day.

Q. Do you just get a day's supply at a time?

A. No; but say you want twenty tubs to-day. You are likely to need it to-morrow. You will mostly use up what you have on hand, and then open that; and if it turns out not to be what you want, you are in an awkward position.

Q. Then you presume that the man who makes the lowest bid will furnish inferior goods, in any and all cases?

A. If a man comes in and bids 8 cents for creamery butter and it is worth 18 cents or 19 cents, we are very liable to reject that bid.

Q. Then you presume that the lowest bidder will furnish an inferior quality?

A. Yes.

Q. What right have you to do that; do you not suppose that if he makes a bid at a certain price he will furnish goods according to the bid?

A. No, sir; after you have had some of our experience in buying goods you will understand that.

Q. How is on other articles? Does that occur on other things except on butter or beef?

A. Yes, on a great many things; for instance, an oyster man offers a bid on crackers at 7 cents a pound. That is as low as you can buy a butter cracker. An oyster man came in here and bid five cents, and shipped in a Chicago cracker, and the goods were not what we wanted; and we had to throw that fellow out and fall back on one of the other bidders.

Q. I can not see, myself, what right the Board has to presume that any bidder is not going to furnish goods according to the requisition and terms of his bid?

A. Well, after this agent had done this we would not receive his bid at all for crackers.

Mr. Henry:

Q. You say you put in natural gas pipes; when did you commence using it?

A. I think in November.

Mr. Fields:

Q. Did you ever give Mr. Sullivan a contract for a higher bid than anybody else?

A. I do not think we did.

Q. Were his always the lowest?

A. I think they were. I mean where there was a tie. I do not think he ever got a preference.

Q. You do not remember of anybody bidding on his class of goods at a rate at which they could not furnish them, do you?

A. Yes, we have had men to bid on Sullivan's goods, and could not furnish them.

Q. Did Sullivan bid at the same time?

A. Yes, sir.

Q. Did he bid lower?

A. Yes, sir.

Q. And you gave him the contract?

A. No, sir.

Q. Was that the only instance where a bid on Sullivan's goods was below what they could furnish them at?

A. I can not state positively as to that.

Q. Sullivan always bid on his class of goods did he not?

A. No, sir; I think not.

Q. Do you remember of his ever missing a month since you have been in there?

A. I do not remember about that. Yes, a great many times, I think.

Q. Why does he not always bid?

A. I do not know.

Q. When he did not bid, Budd would get it, would he not?

A. No, sir.

Q. Are they in the same business?

A. Yes, sir; but different firms.

Q. Is it not all Sullivan's business?

A. No; Budd was in the business ten years before Sullivan came to this place.

Q. Did you ever take any steps to prevent collusion between bidders; or to find out whether there was any?

A. I never knew that there was any.

Q. Did you ever suspect there was?

A. No, sir.

Q. Can you specify any bid that you rejected, that was lower than any other bid on the same class of goods?

A. Yes, I told you about some crackers a while ago. We accepted them. The bid by our bakers was seven cents, and this man come in and bid five cents, and the crackers did not give satisfaction and we could not use them, and we then had to fall back on the next bidder.

Q. Well, you did not reject that bid?

A. No, but we did not receive any more of his bids on that class of goods.

Q. Can you recollect any time where a man put in a lower bid and that bid was rejected, and you did not give him the contract on the goods called for?

A. No, sir.

Q. What do we understand you to mean when you say that you sometimes would not consider bids, but rejected them?

A. Well, we would not consider the cracker agent's bid any more.

Q. Did he bid any more?

A. Yes, sir.

Q. Was it a lower bid?

A. Yes, sir.

Q. And you rejected it?

A. Yes, sir.

Q. And did the bid specify the goods to be furnished?

A. Yes, sir.

Q. And so far as the conditions of the bid were concerned it was the best bid, and you rejected it because they did not fill the contract before?

A. Yes.

Y. And did the bid specify the goods to be furnished?

A. Yes, sir.

Q. And so far as the conditions of the bid were concerned it was the best bid, and you rejected it because they did not fill the contract before?

A. Yes.

Q. Was this the only place where crackers were made?

A. No; but there is a combination on crackers all over the United States.

Q. He was violating the trust, then; going under the trust prices?

A. He was putting in inferior goods.

Mr. Pleasants:

Q. I would like to know if the Board ever required of any bidder any bond or any forfeit that the goods he supplied should be up to the contract and up to the sample?

A. Yes, sir.

Q. Do you do that in all instances?

A. No, I think not; we have gotten out of that way of doing.

Q. What was the reason that was not continued?

A. The bidders got to kicking and did not like it.

Q. What difference was that to the Board, if you got better goods?

A. I do not know that we got better goods. Take a firm like Murphy, Hibben & Co., worth a million of dollars, and they concluded they would not bid if they had to make out a bond before every Board meeting. They claimed that the prices would not justify it.

Mr. Fields:

Q. Do you know that there is a standing order of the Board out there at the Hospital that the Storekeeper shall not receive or examine any goods until the contractor furnishes a bond?

A. Well, I do not remember about that; there is some such an order.

Q. If there is such an order, is it not a very important one?

A. Yes.

Q. And is it not important that the contractor should guarantee his goods as to character and quantity in the bid?

A. Yes.

Q. Well, was it a matter of such light importance that you did not remember it?

A. I can not remember all the orders on the book.

Q. But one like that?

A. I do not remember that order; it may be there.

Q. Do you know of anybody ever filling a bond—any contractor?

A. I do not know that I do.

Q. If he should, whose business would it be to determine if it was sufficient?

A. I suppose it was the Board's.

Q. Have you ever seen any such bond?

A. I have seen where they said on their bids that they would give such a person as bondsman, different parties.

Q. Did Sullivan ever give a bond?

A. I do not know. I do not think a bond was ever required of him.

Q. If there is such an order on the books, so far as you know it has been ignored?

A. Yes.

Q. And, so far as you know, Sullivan never gave a bond?

A. I do not remember of his doing so.

Q. I am talking about your knowledge of the matter, so far as you know. Did that Chicago firm give any bond for the fulfillment of their contract?

A. I do not think he did, nor I do not know that he did not.

Q. If you did not require a bond, you neglected your duty, didn't you?

A. No, I think not. If a man was responsible, that was sufficient. If Murphy, Hibben & Co., worth a million of dollars, bid, we would have a right to use our own judgment in the matter.

Mr. Pleasants:

Q. They made a contract with you to furnish certain goods at a certain price, and they were to do that. This man who furnished the Chicago goods, is he worth anything?

A. I think he is.

Q. Why did you not make him responsible?

A. We came to the conclusion that it was more trouble than to let some one else furnish the goods.

Q. Did you ever bring suit to compel him to pay the difference between the contract price and the price you were compelled to pay on account of his failure to come up to the requirements of his bid?

A. No, sir.

Mr. Henry :

Q. Does the law require a claimant to file his own affidavit?

A. No, I think not; it is usually done by the book-keepers.

Q. I see that on September 25, 1887, Budd has a bid there, and Sullivan has a bid. Budd's bid is in writing and figures, and all carried out. Mr. Sullivan's is in two handwritings, by lead pencil, and is in exactly the same figures as Budd's; the figures in a different handwriting from that of the bid. Can you explain that?

A. No, sir; I can not.

Q. Don't that look like it is copied from Budd's bid?

A. I do not know how that come, Mr. Henry.

Q. It was certainly put in after this, was it not?

A. Yes; I think you will find, as I stated awhile ago, most of Sullivan's that way, because O'Neill would make the bid out and pass it to Mr. Sullivan to put the figures on it.

Q. Do you think that is his handwriting, that is the same as the last bid, are those his figures?

A. I can not tell about the figures, it looks very much like it though.

Q. I see that Budd's bid for December, 1887, and Sullivan's bid for December, 1887, are the same. I want you to explain why Sullivan's figures were carried out after Budd's bid was put in. I want to know if you can explain that?

A. I can not explain that, only it came to us in just that way, I know that?

Fifteen minutes recess.

Mr. Pleasants repeated a former question :

Q. I asked you if you had brought suit against him—the Chicago party—to recover the difference between the amount of his bid and what you actually had to pay for the crackers?

A. No. Say a man furnishes part of a contract and does not furnish the balance, we buy the goods in the market or get them from the next lowest bidder; and we make the one who took the contract make up the difference in the price.

Mr. Conn :

Q. How could you do that?

A. Supposing a party has furnished a part of his contract and refuses to furnish the balance. Then we go to the next

lowest bidder or go into the market and buy the goods; and we deduct the difference between his bid and what we have to pay.

Q. You deduct the difference from what is due him?

A. Yes.

Mr. Pleasants:

Q. If you throw out the goods he furnishes, there is nothing coming to him, is there?

A. Sometimes there is. I remember one case; that was with Sullivan. He failed to furnish his goods, and we went on the market and bought them and charged him up with about sixty dollars' difference in the price we had to pay from his contract.

Q. You say you do not know that bidders are required to give a bond?

A. I have been thinking about that, and I believe there is an order of that kind.

Q. (Citing tenth specification); Why is it that the Board has disregarded that specification and that order of the Board?

A. Well, we simply used our own judgment. If there was a new bidder, they might require a bond.

Q. Do you take it for granted that if I made a bid six years ago for furnishing goods, and continued making bids month after month, that the original bond covers all bids, and that I would not have to make an additional bond every time?

A. I think one bond is sufficient.

Q. I see in the bid for July, 1888, Mr. Sullivan has made a bid in writing, with ink, in which he has his bid there in full; that bid is accepted and is lower than the bid of the lowest bidder that month. I believe that, as it appears, is all correct. I will ask you in connection with that bid, why it was \$1,180? Did it not usually run up to about two thousand dollars?

A. Look at the prices, and see what the prices are. Supposing you make the price 30 cents for butter, that makes the difference. It is in the price. Chickens are 14, 15 or 16 cents, and eggs 22 cents; it would make quite a difference.

Q. Don't the amount always run above the amount in the specification?

A. Usually that is more than is bid for in the requisition.

Q. Here is a bid Mr. Sullivan made in September, 1880. In whose handwriting is that?

A. That looks very much like Sullivan's.

Q. That looks like Sullivan's?

A. Yes, sir.

Q. Are these bids presented last?

A. Yes, sir.

Q. How do they come?

A. In an envelope.

Q. Are they ever opened until the Board meets and examines them?

A. They are usually on the table.

Q. Are they sealed?

A. Some of them will make out their bids there, and put them in an envelope.

Q. You leave the specifications in a room in charge of the Janitor; are the bids left in that room when no one is present to take care of them and see that they are not opened?

A. There is some one in there, when the bids come in.

Q. Are they in the custody of some one all the time?

A. Yes, I think they are. There are two or three tables there; a gentleman may come in and pick up a blank and make out a bid and put it in an envelope and seal it up.

Q. That is down in the room here in the State House?

A. Yes, sir.

Q. No bids are made out while the Board is in session?

A. Oh no; no, sir.

Mr. Henry:

Q. In the bids for December 1888, I find that there are two bids, one from Sullivan and one from Arthur Jordan. Now, Mr. Gapen, will you explain why the bid of Sullivan was accepted in that case, and that of Jordon rejected?

A. I suppose Sullivan was the lowest bidder, is the reason.

Q. Just state what that bid is?

A. Mr. Jordon's bid was as follows:

4,000 lbs. butter, at 30 cts.....	\$1,200 00
3,000 doz. eggs, at 22 cts.....	660 00
1,600 lbs. dressed chickens; young, at 10 cts.....	160 00
1,500 lbs., turkeys, at 10 cts.....	150 00

Total \$2,170 00

Q. Now, this one?

A. J. E. Sullivan :

4,000 lbs., more or less, creamery butter, fresh, 27c...	\$1,080 00
3,000 doz. fresh eggs, 23c.....	690 00
1,600 lbs. of dressed chickens, hens, young, 13c.....	208 00
1,500 lbs. turkeys, 13c	195 00

Total	<u>\$2,173 00</u>
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Q. Now, I will ask you : When the Board considered those two bids, you say they made a reduction of the number of dozen of eggs, from three thousand to two thousand dozen ?

A. Yes, sir.

Q. You may state why that was done ?

A. On account of the price of them I believe ; and if I remember right the Superintendent was there at the time, and some one member of the Board asked him if 3,000 dozen eggs was not a good many, and if he could not get along with a thousand dozen less, as, I think, former requisitions had been for about 2,000 dozen.

Q. That month you paid Mr. Sullivan \$2,816. State why you made a reduction in the amount of the articles bid on, and yet his bill amounts to about \$700 more than his bid ?

A. That is for the December contract, is it not ? That is the month that we use more chickens and turkeys than any other on account of the Christmas fowl dinner to the patients.

Q. Have you not there in the bill 1,500 pounds of turkey ?

A. Yes, but when Christmas comes they have wanted three or four thousand pounds more.

Q. You may state now whether you have made a calculation to see if these footings are correct ?

A. Yes, sir, I went over the calculations and they are right.

Q. Explain, now, what time those figures were put in the bid by Mr. Sullivan ?

A. Before the Board meeting ; there were found in the envelope just as they are.

Q. They are in a different handwriting from the rest of the bids he put in ?

A. Yes, sir ; this handwriting is Mr. Sullivan's, and these figures are, I think, Mr. Sullivan's.

Q. Mr. Gapen, when the bids were footed up according to requisition, Mr. Jordan's bid was the lowest, was it not ?

A. That I do not remember now. I do not know that they were carried out at that time, until after 1,000 dozen eggs were taken off. I do not remember whether that was footed up then or not.

Q. Do you usually treat bidders in that way?

A. Yes, we make reductions.

Q. Is that a fair way to treat bidders?

A. No, sir; I do not think it was.

Q. You make requisitions for a certain amount; a certain number of pounds of butter, or a certain number of dozens of eggs; and they bid upon the whole amount and then present their bids?

A. I think when the requisition for three thousand dozen of eggs was reduced, it was noticed by some member of the Board; I don't remember who it was, but I think it was Dr. Harrison. He called Dr. Galbraith's attention to it, and asked if he could not get along with a thousand dozen less.

Q. I ask you as to the treatment of bidders. Is it fair to reduce bids, so as to bring one under the other, after the bids are in?

A. I do not think that was the intention of it.

Q. Does not the bid show on its face that Jordan's bid was the lowest?

A. It does, yes.

Q. The reduction of one thousand dozen makes Sullivan's bid a little less.

A. It was not done for that purpose.

Q. You made an increase in Sullivan's bid. His bid was \$2,170 and you paid him that month over \$2,800. Can you tell how much was paid for that month?

A. No; if you had the vouchers here they would explain it.

Q. Do you know the average amount of eggs used out there per month?

A. The requisition usually was about three thousand dozen; I can not remember, some months they will use more, and some months less.

Q. What was the purpose of changing that requisition from 3,000 to 2,000 dozen, and still leaving it more or less; was there any change made?

A. The change was to cut down the eggs to 2,000 dozen. We thought they could get along with 2,000 dozen.

Q. If the original requisition called for 3,000 dozen, more or less, could you not have used the 2,000 dozen?

A. Yes.

Q. Then there really was not much gain to the hospital in the price of the eggs, by cutting them down from 3,000 to 2,000 dozen?

A. Not unless it was done to impress the Superintendent that he could get along without so many.

Q. It was not done, however, until after the bids were opened?

A. No, sir; I think not; I do not think that was taken into consideration.

Q. So you think that reduction was not made until after the bids were opened and it was found that that reduction would make Sullivan's bid less than the others?

A. I do not remember about that, whether the bids were opened first or not.

Q. Was that reduction made before the bid was delivered to the Board or after?

A. It was after. The Board might have seen it on the requisition.

Q. The memorandum on the bid was not made until the bids were opened, was it?

A. I do not know.

Q. And you think the explanation, probably, is that it was made to impress the Superintendent that he could get along with less?

A. I do not pretend to say, but that was my judgment.

Q. Did you inquire how that worked?

A. No, sir.

Q. You know that instead of Sullivan's amount being reduced below \$2,700.00, it run above \$2,800.00, don't you?

A. I am under the impression that it was changed before the bids were opened.

Q. Is there anything to indicate that?

A. No, sir. Some one of the Board asked the Superintendent if he could not reduce the three thousand dozen of eggs to two thousand and get along.

Q. Did you ever make such a reduction as that on any other estimate made by the Superintendent?

A. I do not remember—well, yes, I have recollections of that kind. We have asked him if he could not get along without other things.

Q. Do you remember when you reduced an estimate the Superintendent made for the quantity of provisions?

A. No, I do not.

Q. Why did you not reduce the quantity of butter at 27 cents, and see if you could not bring him down from 4,000 pounds?

A. That is about as low as we ever go on butter. The usual amount of eggs is two thousand dozen. I am under the impression that this reduction was made before the bids were opened, because this is in one handwriting and the other is in the handwriting of Mr. Burrell.

Q. The amount of eggs used that month, Mr. Gapen, as shown by the bill receipted by Mr. Sullivan, was 3,072 dozen for December; so, really, you used the original amount. Have you examined those checks to know whether they are all here?

A. They are not all here, that is what Dr. Harrison says. I may have a package some where else; I do not know. Dr. Harrison says they are not there for September.

Q. Do you know where they are?

A. I do not know that I do. They may be up at my house or they may be at the Asylum, or it may be I left them some where else. I have had them because I checked the book up with them.

Q. Is the check you spoke of this morning, that you gave to Mr. Sullivan, among these?

A. No, sir.

Q. Mr. Gapen, do you know of any single time, from the time you went into the employment of Mr. Sullivan, to this time, that any one of his bids were rejected by the Board?

A. I do not remember of any at the present time, no, sir.

Q. And has he not been bidding every month since that time?

A. That I do not know. I can not remember. I am under the impression that he has.

Senator Shockney:

Q. Did you treat this fund, after you received it from the Treasurer of State, as your own fund or as the fund of the State?

A. As the fund of the State, of course.

Q. Did you keep any other bank account of your own besides this that you have exhibited to the Committee?

A. No, sir.

Q. No other bank account?

A. No, sir.

Q. You have no other bank account besides this?

A. Yes, sir.

Q. Where do you keep it?

A. At the same bank.

Q. Did you ever deposit any of the money belonging to the Institution in your private bank account?

A. No, sir. I have no private bank account. The other bank account is an assignee account.

Q. Do you ever keep any of the money of the Institution at any other place than in this bank, and as shown by this account?

A. No, sir.

Q. Does this bank account as shown here make your credits upon them more than the money received from the State?

A. I think not.

Q. When you received money from the State did you check it out to Mr. Sullivan, and when he paid it back to you you put that money in the bank; and you loaned him money again, and he paid that back; and so that would show more money than you received from the State?

A. Yes.

Q. Do you know the reason why there are entries made in this bank book like this; here is one item that will serve for the question: Here is check 1,016, February 9th, then one for January 23d; why would there be two entries on your bank book after the February entry, going back to the January entry of deposits?

A. I do not understand unless it was credited up on that book at the time.

Q. State whether the money you receive from the Treasurer of State monthly is the only money you have received as Treasurer of this Institution?

A. That is all.

Q. Have you ever received any other money from sales at the Institution?

A. Yes, sir, from sales out there.

Q. Where did you keep that?

A. I turned it over to the State Treasurer.

Q. Do you keep an account of it?

A. No, sir.

Q. Do you know how much money you have received from other sources than that of the Treasurer of State?

A. No, sir.

Q. Do you know what money you have received other than money from the Treasurer of State?

A. No, sir.

Q. Have you any means of knowing?

A. No, sir.

Q. Have you any means of knowing how much money you have paid over to the Treasurer of State?

A. Yes, sir.

Q. Can you state it to the committee?

A. No, sir; but I have a means of knowing, for I took a quietus.

Q. State whether the money received from the Superintendent of the Institution is ever deposited in the bank before it is taken over to the Treasurer of State?

A. It is deposited with the Treasurer of State.

Q. When were you first elected as a member of the Board?

A. Six years ago.

Q. How long were you elected for?

A. Four years in all; two years out at the Institution as Secretary, and two years as Treasurer.

Q. Were you re-elected?

A. No, sir.

Q. Were you required to give a new bond?

A. No, sir.

Q. What was the amount of the bond you did give?

A. Personally, I do not know.

Q. Where did you file that bond?

A. In the Secretary of State's office.

Q. Who is on that bond?

A. I do not know.

Q. How many are on that bond?

A. I do not know.

Q. Reading from Section — R. S., 1881, have you ever received any money from the Superintendent of the Institution for the sale of hides?

A. I do not know what the sales were.

Q. He is required, under the law, to furnish you an itemized statement?

A. That he does and I sign it.

Q. You do not know what the money was for?

A. I do not remember that there were any hides in it.

Q. You do not remember any of the items?

A. I knew there was some rags.

Q. Did you ever sell any of the products of the farm out there?

A. None that I know of, no sir.

Mr. Brown :

Q. Do you know anything about these two bills from John E. Sullivan without any bids accompanying them; do you know if there was a bid accompanying them?

A. Yes, sir; there was a bid. It is an itemized account, is it not?

Q. Yes. One is for December 6, and the other is for September 6, 1888.

A. I guess you can find the bids somewhere; I do not remember all of those things.

On motion of Senator Shockney, the further taking of evidence was postponed until 1:30 p. m., February 28, and the committee held a session for consultation.

THURSDAY AFTERNOON, February 28, 1889.

Committee called to order by Temporary Chairman Conn at 2:05 p. m.

Present: Messrs. Hays, Henry, Shockney, Conn, Fields and Howard.

Mr. P. M. Gapen resumed the stand and testified as follows:

Mr. Henry :

Q. Looking over these books I find, in 1883, produce consists of how many things?

A. Butter, eggs and poultry, I think.

Q. Examine that and see the amount of produce furnished September 6, 1883, for one month?

A. That is \$1,044.22.

Q. And the month following, how much ?

A. \$843.65.

Q. That was for the month of September, 1883, and the one prior to that was for August, 1883 ?

A. Yes, sir.

Q. Now, for October, what was it?

A. \$1,013.59.

Q. For November?

A. \$1,037.59.

Q. That was for 1883 ?

A. Yes, sir.

Q. Now, for the year 1885 ; Arthur Jordan for July?

A. \$976.82.

Q. Now, let us get November ; how much ?

A. J. E. Sullivan, \$1,615.47, for 1885.

Q. For March, 1886, Arthur Jordan ?

A. \$610.82. Hold on, there must be somebody else ; let us see Krause Bros. That is \$527.30 for March.

Q. State the number of persons within the Institution at the time the first amounts were given, in 1883?

A. About 1,085 persons.

Q. Does that include employes?

A. No, it is the patients.

Q. How many employes?

A. I think 260 or 270.

Q. The amount of produce at that time was about one thousand dollars per month, was it?

A. Yes, I should say sometimes more and sometimes less.

Q. State how many there were in 1886?

A. I do not remember, I cannot state that ; I would say something over 1,500.

Q. That is about as many as there are out there now?

A. No, the patients run about 1,500. I believe our average for 1886 was 1,568, and 342 employes.

Q. Can you explain to the Committee, Mr. Gapen, why it only required about one thousand dollars a month for produce in 1883, when the patients were only about one thousand in number, and now it requires so much more, when the patients are only about one-third more?

A. The patients are over one-third more.

Q. I believe you said about 1,000 in 1883?

A. Yes, and now there are over 1,500—fifty per cent. more. There may be a difference in the prices of different months. You take butter and eggs in September and you will find that produce is lower than in January and February and March.

Q. Well, what about March 1886, that was \$1,200.00 for produce; why is it so much more in 1887 and 1888?

A. They might have struck an off month and got their produce lower. There might have been an over-supply, an over-stock on the market. I am not sure but that we had some trouble with the contract, and that two parties furnished the goods at that time.

Q. It is recorded that the bid was Krause Bros. in one place in 1886, and also to Jordan; and together they amounted to not quite \$1,200 for the month. That would not make any difference as to the last sum?

A. No, sir. I cannot explain it unless it was an off month.

Q. Have you purchased any less than \$2,000 worth from Mr. Sullivan, for any month, in eight or ten months?

A. I could not say.

Q. This list commenced in April, 1887. The vouchers show more purchases; that is the amount of purchases recorded on the March vouchers. Please examine this and see if it is correct, as to your recollection of the amount furnished and paid Mr. Sullivan for March, there. There are a good many there under \$2,000. Do you think it is a correct statement, according to your recollection?

A. I think so, but I do not know anything about it.

Q. Give the clerk the amounts, if you think it is correct.

A. April, 1887.....	\$497 73
Minute book shows.....	479 73
May, 1887	1,449 36

Let me make an explanation here. Mr. Sullivan, in all probability, furnished the poultry that month, and, likely, Jordan furnished the butter. I do not know that, but it looks that way.

Q. What is the amount for the next month?

A. June	\$682 24
July.....	824 10
September.....	1,436 07
Budd's, for August was.....	1,274 16
December.....	819 70

There are two amounts in October, and Budd's

was..... 1,230 49

Q. One thousand six hundred and thirteen dollars and fifteen cents in one month for Arthur Jordan?

A. That is right.

Q. Now January?

A. January, \$1,277.64.

Q. That is for the month of January, 1888?

A. Yes.

Q. Now February?

A. February..... \$1,863 74

March..... 2,114 32

April..... 1,619 31

May..... 1,630 25

June—Budd..... 1,536 86

July..... 1,560 86

Minute book shows..... 1,556 78

August..... 1,654 70

September..... 1,751 54

October..... 1,759 14

Minute book shows..... 1,556 78

Ledger shows..... 1,560 86

November..... 2,724 08

December..... 2,816 28

January..... 2,371 06

Q. I will ask you why it is, that the last months Sullivan furnished food, the amounts are so much larger than before—that is, for the months of January, November and December—for produce?

A. Well, along about October the Doctor increased the diet on most everything—eggs, flour, milk, etc.—and then in December we always get them up a big Christmas dinner, and that makes a big difference. I do not know just how much more we bought.

Q. You stated yesterday that one bid you rejected reduced the amount of eggs one thousand dozen?

A. Yes, sir.

Q. And still that very month is greater than any month you have, is it not?

A. Yes. I suppose the Superintendent thought he needed them and took them.

Q. Why is it that only \$1,819.70 is used for December, 1887, and nearly a thousand dollars more is used for the corresponding month in the following year?

A. I can not explain that unless the goods were lower at that time, and they were probably not using as many of that class of goods.

Q. How do you explain \$2,371.06 was used for buying this produce in January, 1889, and only \$1,277.04 was used in the corresponding month in the year previous?

A. That is what I say. I do not suppose they were using the amount of goods at that time and they were cheaper than they are now.

Q. What month was it that the increased per diem occurred?

A. In October.

Henry :

Q. Can you give me the number of inmates for December, 1888, on this schedule here? Who made this schedule out?

A. Dr. Galbraith, I suppose.

Q. Here is also a schedule for December, 1887; you can examine this too, and just give me the result of the two corresponding months.

A. It appears that the daily average for that month was 1,431, that is December, 1888.

Q. What was the daily average of the corresponding month?

A. The daily average was 1,431.

Mr. Conn :

Q. The employes were two hundred and something?

A. It says here 228; that is wrong. It says here number of employes, 330; number of employes during the month, 11; number left service during month, 13; number remaining in service December 31, 228. There is a mistake there of 100; it should be 328.

Q. Now give the corresponding month?

A. That is January 5, 1887.

Q. That is December, is it not?

A. Yes, that is December, 1887.

Q. Now give the number of the daily average there?

A. The daily average is 1,511.

Q. The number of employes?

A. The number of employes is 338; left the service, 9; remaining January 1, 329.

Q. So, according to the showing of the two statements, there were more in December, 1887, than in January, 1888?

A. Very few only, I think. This is 328 and this is 329; there is only a difference of one.

Q. You mean the daily average of record will show this?

A. No, sir.

Q. Was there ever any complaint about goods furnished by Mr. Sullivan, of their being rotten and unfit for use?

A. None that I know of.

Q. I see this states that complaints have been made concerning the quality of goods furnished during the month, a considerable percentage of which were unfit for use?

A. That might have been made out by the Superintendent and we would not know it until he made his report. It is his business to attend to those matters and not ours. If he receives that class of goods it is not our place to reject them or rectify them.

Q. Now, taking up another line of investigation, did you keep a check-book in the transaction of business?

A. That is my check book. These are the checks.

Q. That book you have in your hand?

A. That is my book.

Q. Did you have a check book, in which you kept the stubs?

A. Yes, sir.

Q. Where is it?

A. Out at the hospital.

Q. Who were the checks written by?

A. By a young man by the name of William Wilhelm.

Q. He filled all the checks?

A. Yes, sir.

Q. And then you signed them?

A. Yes, sir.

Q. When you gave checks to Sullivan, and loaned him money, did you use that check book, or did you use other checks?

A. No; I did not that book, I just filled out any check.

Q. When you were transacting the legitimate business of the Treasurer, you used that book out there?

A. Yes, sir.

Q. Examine this check, and give the contents?

A. "March 8th, 1888, Meridian National Bank, pay to the order of W. J. Wasson Fifty-nine hundred and six dollars and eighty-four cents (\$5,906.84.

"P. M. GAPEN,

"Treasurer."

Q. Is that check canceled?

A. It is.

Q. Is it endorsed by the payee?

A. No.

A. No.

Q. Explain that?

A. At that time, I believe in March or April, the State Treasurer was out of money, and Mr. Wasson, who had a claim against the State, went to the Meridian National Bank and borrowed, I think, \$3,500 or \$4,500. When I drew this check I took it to the bank and took out Mr. Wasson's note.

Q. What was the amount?

A. I do not remember whether it was thirty-five or forty-five, or twenty-five hundred dollars. It was an amount I went there and got for him. When I did anything of that kind I would leave their check at the bank, and they would go and get it and settle their business between themselves. That check should be here some place.

Q. That check has been charged against you as Treasurer in your bank book?

A. I suppose it has; it is canceled, or ought to be, as it was presented to the bank for payment. Yes, the bank paid it and returned it to me.

Senator Shockney:

Q. Why would not the bank take it into account in balancing your bank account?

A. I do not know.

Q. If they have not you are entitled to a credit of \$5,906.84?

A. It looks like that.

Q. Dr. Harrison's check was given January 5, 1888; why was it that it was paid by the bank in December, 1887?

A. I will explain that. It was like this: At that time the Attorney General commenced — How was that? It was at the time the Governor appointed Mr. Joseph Carson and Mr. Flack to supersede Dr. Harrison and myself. Well, they came to the conclusion at the Auditor's office that they would not allow us

our pay. I did not know that until I came to draw the money. The Auditor took that view and would not allow it, but before I knew that I had given Dr. Harrison his check at the Asylum.

Mr. Henry :

Q. Did you make any other checks?

A. I paid myself, but did not put the check into the bank.

Q. Did you pay anybody else?

A. Nobody else, the pay was stopped.

Q. Did you pay Sullivan?

A. Yes, but his amount was not stopped.

Mr. Shockney:

Q. I did not follow your statement in reference to this check. The check was given January 5, 1888; what occurred that required the check to be given then; for his salary, was it?

A. Yes.

Q. Why was it the check was paid December, 1887?

A. There is some mistake about that. The check itself and the date of payment indicate that.

Q. The check was given in January, 1888, and paid in December, 1887?

A. That is a mistake.

Q. It is a mistake in the bank book then?

A. It must be, of course.

Q. Another item: J. E. Sullivan has been given a check for \$1,277.64; can you tell when that was paid?

A. I suppose it was paid afterwards.

Q. Can you tell any reason why it would appear that this has been paid in January, 1888, the check having been given in February, that is, of its having been paid prior to the date of its being given?

A. That is a mistake. It could not have been paid before it was given, could it? In all probability I accepted an order on the Meridian National Bank for that amount before that time. They have simply made a mistake in the date.

Q. Is this the only bank book you had at the dates given here?

A. Yes, sir.

Q. Who made all these entries?

A. They are made at the bank.

Q. Were these entries all made at one time, or as the checks came in?

A. I do not know; they do that at the bank.

Q. Do you know whether there are any outstanding checks given by yourself as Trustee of this Institution unpaid?

A. Yes, sir.

Q. How many?

A. We went over them yesterday. I can not tell.

Q. A check was given to Sullivan for \$2,371.66; have you that check?

A. No, sir, you have it.

Q. Does that appear in any bank-book?

A. I will tell you about that. I thought I explained that yesterday. I suppose you were not here when I made that explanation yesterday? It was like this—

Interrupted by Mr. Henry.

Q. You explained that yesterday about giving Lemcke that order?

A. Yes, sir.

Q. Explain it to Mr. Shockney.

A. This amount was due Mr. Sullivan for goods furnished to the Insane Hospital. He went to Lemcke and borrowed of him \$2,000 on it. Sullivan was to get an order on me for that amount. I drew up an order and accepted it, and Mr. Sullivan received \$2,000 on it. When Mr. Lemcke paid me I told him to take out \$2,000 for this and give me the rest.

Q. Explain why this check was for \$2,371.06, when the order was only for \$2,000?

A. Two thousand three hundred and seventy-one dollars and six cents was the amount of goods furnished to the Insane Hospital by him in the month of January, 1889. He had only borrowed \$2,000 of Mr. Lemcke, and consequently Mr. Lemcke was not entitled to any more than \$2,000.

Q. What was done with the \$371.06.

A. I took the balance.

Q. To whom is that money due?

A. To another party.

Q. To whom?

A. That does not enter into the Hospital business at all.

Q. Why, here is a check that you have given?

A. Yes, and there is the check, and it belongs to the Hospital.

Q. To whom did you give the \$371.06?

A. That was an individual matter.

Q. Why?

A. I can not tell you why.

Q. How can you tell, then, that it is an individual matter?

A. Say that he owed me \$371.06, or some other gentleman, and I took that and paid to that party. I don't say that he did, but I say *supposing* he did.

Q. Who were those parties?

A. I do not know that that is a proper question to ask, when it does not come into the Hospital business.

On appeal to the Chair by Mr. Shockney, the witness was directed to answer the question.

A. I took that money.

Q. To whom did you pay it?

A. I paid \$300 to another gentleman, to whom I had agreed to pay it for Mr. Sullivan. I paid it to Dr. Loftin.

Q. What became of the balance of the \$371.06?

A. I have that.

Q. Whose money is it?

A. Mine.

Q. How does it come to be your money?

A. Sullivan owed it to me.

Q. Have you his receipt for \$371.06?

A. Yes, sir.

Q. When did you get this receipt?

A. I do not remember when. I think it was on the 29th day of January.

Q. On the day he went away?

A. No, sir; that was not the day he went away.

Mr. Henry:

Q. Did Sullivan sign that before he went away?

A. Yes, sir.

Q. And it is among the papers upstairs?

A. Yes, sir.

Q. And at the same time he made out this order?

A. No, that was on the 18th.

Mr. Shockney:

Q. When was this check written?

A. On February 7th.

Q. Read the check.

A. "INDIANAPOLIS, Feb. 7th, 1889.

No. 91. The Meridian National Bank pay to the order of J. E. Sullivan \$2,371.06.

P. M. GAPEN,
Treasurer."

Mr. Henry :

Q. Any endorsement?

A. No, sir.

Q. Is it canceled?

A. I canceled it myself.

Mr. Shockney :

Q. Give the order on which the \$2,000.00 was paid.

A. "INDIANAPOLIS, IND., Jan. 18th.

P. M. Gapen, Treasurer of the Board of The Insane Hospital, pay A. J. Lemcke two thousand dollars, \$2,000.00, on my contract for the month of January, 1889.

J. E. SULLIVAN."

Q. Now tell what endorsement is on the back, please.

A. "JANUARY 18th, 1889.

Received from the State Treasury two thousand dollars, \$2,000.00, for J. E. Sullivan.

J. T. O'NEALL."

Q. Who was O'Neall; why did he have this order?

A. He was in the employ of Mr. Sullivan. I suppose when I accepted the order, Mr. Sullivan handed it to him and he went to the State Treasury and received the two thousand dollars.

Q. This order was given to the Treasurer of State, on you, for two thousand dollars? When did you come into possession of this order?

A. I got it on February 9.

Q. Two days after this check was written?

A. Yes, sir.

Q. Who was J. T. O'Neall?

A. A gentleman in the employ of Mr. Sullivan.

Q. He is the same individual that skipped the country with Sullivan, is he not?

A. I do not know that he went with Sullivan; he went about the same time.

Mr. Henry :

Q. Did Sullivan ever have possession of that check, or see it?

A. No, sir.

Q. You have had it all the time?

A. Yes, sir.

Mr. Shockney.

Q. Why did you erase your name from the check?

A. That was to cancel the check. I marked it paid, and erased my name.

Q. January 11, I find check No. 195, for \$348.86; has that been paid?

A. If it is in those papers it has been paid, yes.

Q. When?

A. I do not know.

Q. Where?

A. At the bank.

Q. What endorsement is on the back of it?

A. "J. A. Hunt." I don't know what this is, it must be the name of his business.

Q. Do you have any means of knowing when that was paid?

A. No.

Q. Why would it be paid in May, 1888, when it purports to have been given in June?

A. I can not tell you that.

Q. Was there any arrangement between you and the bank where you were depositing, that checks should be paid whether the money was there or not?

A. No, sir, only as I told you about accepting an order. But let me tell you about this Hunt check. He does his business there, and my instructions are to leave his checks there at the bank, which I did.

Q. That would not account for the fact of its being paid in May and drawn in June?

A. I do not know anything about that.

Q. Is the date of the check the date on which it was issued?

A. Yes, sir.

Q. Is it not true that that is not the date, but that it is a month later than it was issued?

A. No, sir.

Q. How do you account for the fact that the bank says it was paid in May?

A. I do not account for it.

Q. Do you know anything about an outstanding check for \$1,630.25 unpaid?

A. No, sir, unless it was in those checks returned, or that went over here.

Q. Do you know anything about to whom, and for what, a check for one thousand dollars was given in February?

A. No, I do not.

Q. Do you know anything about a check that was drawn to the amount of one thousand dollars on that date?

A. No, sir. That might be a check I gave to Sullivan.

Q. Why do you say it might be?

A. It might be in some of my private papers.

Q. Why would you have any private papers among the accounts of the Insane Asylum?

A. It is in the bank-book, but it would not go into the Asylum funds.

Q. Do you not bank all of your own money with the Asylum money?

A. No, sir, I never had a dollar of it with the Asylum money.

Q. Do you know anything about to whom and for what a check for \$5,500 was given in April?

A. Yes, sir, to Sullivan.

Q. For what?

A. He wanted the money and I gave it to him.

Q. Do you know anything about a check for \$53.20 given in April, 1888?

A. No, sir.

Q. Have you any such check as that among your private papers?

A. No, I think not. Is it credited up on the bank-book?

Q. Yes.

A. Well, I do not know where it is.

Q. Do you know anything about a check for \$1,742.70 that is outstanding and unpaid?

A. Which one is that—what date?

Q. December, 1887.

A. No, sir.

Q. Do you know of any check taken up for \$1,747.70; that is not among the papers?

A. No, sir.

Q. If you ever receive a check on the bank for that it is not among the papers; can you tell to whom it was given, and for what?

A. I can tell by going back to the voucher and getting the date on the check.

Q. These checks that have this mutilation, are they all cashed in the bank?

A. Yes, that is the banks cancellation.

Q. In this check of \$2,371.06, for the two thousand dollars paid to Mr. Lemcke, what authority had you, besides the receipt received from Sullivan at the time the bill was made out, to collect that money?

A. A power of attorney from him.

Q. When was that executed?

A. A year ago.

Q. Do you know Robert Brown?

A. No, sir.

Q. Have you known such a person in the city of Indianapolis?

A. No, sir; I know Robert Browning.

Q. That is the man I am inquiring about. He is one of your bondsmen?

A. I do not remember.

Q. What is his financial standing?

A. I do not know.

Q. Did he not fail since your bond was executed?

A. I do not know.

Q. Do you know Samuel C. Hanna?

A. Yes, sir.

Q. He is on your bond, and has failed since your bond was executed?

A. Yes, sir.

Mr. Hays:

Q. What days in the month were the bids received and opened?

A. They were received on the last Friday in every month.

Q. On what days were the estimates delivered to the Trustees?

A. They were not delivered to the Trustees at all; they were put into this room which we have in the building down here.

Q. At what time previous to the receiving of the bids?

A. I think on the Monday before.

Q. Was there any order of the Board, requiring it to be done at any particular time?

A. I think so.

Q. What was it?

A. That the estimates should be put there eight or ten days before the time for receiving bids.

Q. That would not be from eight to ten days before, would it?

A. Well, whatever the time was, they put them there. I think they were put there on Monday; that is my impression.

Q. What time was the advertisement published?

A. I think, generally, ten days before.

Q. At what time on Friday were the bids to be opened?

A. We closed the doors at ten o'clock, I think.

Q. Have you any doubt about the time?

A. I have no doubt about it; it was about ten.

Q. Did you have any fixed time for doing that?

A. It was, I think, at ten o'clock; that was about the fixed time.

Q. Did you stick to that time, or did you make exceptions?

A. Well, we have made exceptions.

Q. Why?

A. If there were bidders in there making out their bids we would give them time to do it.

Q. Was the entire membership of the Board regularly present on the opening of the bids?

A. I think not.

Q. Was it customary?

A. No, not always.

Q. Who were present, usually, when the bids were opened?

A. There was always a majority of the Board there.

Q. Who usually constituted that majority?

A. Two of us.

Q. Which two?

A. Sometimes Dr. Harrison and myself, sometimes Mr. Burrell and Dr. Harrison.

Q. Who was generally there? was there any difference in those who attended?

A. I think they were all generally there in the last two years; I do not think I have missed more than one meeting in the last two years.

Q. You usually constituted one of the majority that were there in the last two years.

A. Yes, I think maybe not so long as that; it has been a year any way.

Q. Have you missed a meeting since you and Sullivan were in business together?

A. Yes, sir; we were not interested in business together at all, sir.

Q. Have you missed a meeting since last October a year?

A. Yes, sir.

Q. More than one?

A. I do not remember; I know I missed one.

Q. Of the other two members of the Board, who were generally present?

A. I think they were both generally there in the last year or so.

Q. I understood you to say they were not always there?

A. Sometimes Mr. Burrell was not there. Dr. Harrison, I think, was always there.

Q. What business were you engaged in before you went into business with Mr. Sullivan?

A. In the lumber business.

Q. Where were you employed?

A. In Arkansas.

Q. Did you give your personal attention to the business in Arkansas?

A. A part of the time, yes, sir.

Q. What portion of the time?

A. I suppose I went down there and staid three months at a time.

Q. What length of time have you been there altogether since you have been a member of the Board?

A. I suppose a year, likely.

Q. How much of that time were you back here in Indiana?

A. I was back frequently; I do not remember. I think the longest I was ever down there was three months at one time,

and the balance of the time I think I was home as much as once a month, and sometimes would remain at home for five or six days, and sometimes ten days.

Q. You were Treasurer of the Board during that time?

A. Yes, sir.

Q. What time did you come back from Arkansas to remain?

A. I do not know.

Q. How long previous to your engagement with Mr. Sullivan, did you return from Arkansas?

A. Six or seven months.

Q. What business were you engaged in during that time?

A. Not any business.

Q. Had you any experience previous to that, in the produce business?

A. No, sir.

Q. Are you a practical bookkeeper?

A. Yes, sir.

Q. Have you ever been employed as a bookkeeper?

A. No, sir.

Q. You were not employed by him, by reason of any special knowledge in the bookkeeping line?

A. No, sir; that was not my part of the business.

Q. You had no special adaptability to that business, either as bookkeeper or manager of the produce business?

A. I was employed there to sign his checks, make out his bills of lading and drafts on New York.

Q. And for that you received \$25 a week?

A. Yes, sir, and looked after the office work generally.

Q. You said you usually closed the door of the room where the bids were received about ten o'clock. Were the bids immediately opened?

A. Generally, yes, sir.

Q. Were the bids in envelopes at the time they were received?

A. Yes, sir.

Q. When the bids were opened what did you do with the envelopes?

A. Threw them on the floor.

Q. They were not preserved?

A. No, sir. Some of the bids were often made out right there.

Q. Were the bids opened in the presence of the entire Board, or by which ever one happened to be most convenient?

A. They were all there at the opening of the bids. We would all open them and sort them out, each class to itself—groceries, flour, meat, oysters, and all of the different things to themselves.

Q. How were the bids delivered when presented there to be held until opened?

A. They were just thrown on the table, not given to anybody.

Q. Do you recollect who usually brought Sullivan's bids there?

A. No.

Q. Did you ever bring them?

A. Never did in my life. I think Mr. O'Neill brought them mostly, or at least I saw him there.

Q. Are those requisitions made out by the Superintendent or Mr. Hall?

A. By the Superintendent and Mr. Hall, I suppose.

Q. Do you know?

A. That is the way they are made; yes, sir. The requisitions are made out in each department, and they bring their requisitions in to the Superintendent and the Storekeeper.

Q. Is it not true that the requisitions are made out mostly by Mr. Hall, and that the Superintendent has nothing to do with it?

A. I do not know.

Q. Did Mr. Hall also receive the goods, and keep the accounts, and have entire charge of making the requisitions?

A. He is the Storekeeper, and there is an assistant; they receive the goods I suppose.

Q. Did not Mr. Hall have entire charge of the supplies out there, as to making requisitions and making out accounts, etc.?

A. No, sir.

Q. He was also Book-keeper?

A. Yes, sir.

Q. Received goods, and made out record and statements which were given to the Board for action upon them.

A. No; Mr. William Wilhelm made out the schedules and things of that kind, checks and everything.

Q. Referring to the estimate made in January for eggs, which was reduced from 3,000 to 2,000 dozen, at the time that reduction was made did you not know that Mr. Sullivan's bill for eggs the month previous was for 4,700 dozen?

A. No, sir.

Q. If that was the amount you knew it at the time didn't you?

A. Yes, sir; of course.

Q. The amount for which he was allowed by the Board was 4,700 dozen, was it not?

A. I do not remember, I suppose I knew at the time.

Q. If you knew at the time that the amount furnished and used, and for which the Board had paid him, was 4,700 dozen and over; did you expect by reducing the requisition from 3,000 to 2,000, to reduce the amount used to that?

A. We would not have suggested it if we had not wanted it done.

Q. Is this the voucher and receipt of W. G. Wasson for which this check was given for \$5,906.84?

A. That seems to be the one, yes, sir.

Q. You have been about the Hospital frequently since you have been elected as one of the officers of the Institution, for the last five or six years?

A. Yes, sir.

Q. Mr. Brownlee on the floor of the House, in a speech the other day, stated that there was a married lady, an inmate from Grant County, in the Institution, who had given birth to a child, and who had not had access to her husband for I believe a year before the birth of the child. Do you know any thing about that case?

A. I think I do. I do not remember that she was from Grant County.

Q. Do you remember when it was?

A. I do not know. I was under the impression that that party lived in Hamilton County, but it might have been Grant. This is the statement given to me by Dr. Fletcher—[interrupting]

Q. If you do not know it, personally, Dr. Fletcher is the one to make the statement. Do you know anything about it, personally?

A. No. I was informed that her husband visited her.

Mr. Henry :

Q. I believe you stated a moment ago that the checks which you made out in the regular transaction of the business of the Institution were taken from your check book and numbered consecutively, and that that was done by the book-keeper at the Institution ?

A. Yes, sir.

Q. And that the checks given Sullivan were not from that book, but that you took them from just any place ?

A. Yes, sir.

Q. You may state whether any of the officers of the Institution knew that you had loaned Sullivan any of the money that belonged to the State, or to the Institution ?

A. No, they did not know anything about that. I never told them anything about it.

Q. Did they ever make any inquiry about it ?

A. No, sir ?

Q. Did they ever examine your bank book or accounts ?

A. I do not know that they did.

Q. Did they have access to your check book ?

A. They did to the one out there.

Q. They knew that Sullivan was furnishing goods, and that his claims were being allowed ?

A. Yes, sir.

Q. They knew that the check book would show, by examination, whether he had received his money ?

A. Yes, sir. The checks I paid Sullivan with, came out of the regular check book out there at the Institution, in the regular routine business.

Q. But the checks which you received in payment for loans did not ?

A. No, sir.

Mr. Shockney :

Q. Is there any relative of yours on the pay roll out there ?

A. No, sir ; there never has been.

Witness was excused from the witness stand for the present, and ordered to hold himself in readiness, and subject to the orders of the Committee at any time, by the Chairman, Mr. Conn.

The Committee then held a session for consultation, and the taking of the testimony was discontinued until 9:00 A. M., Friday, March 1, 1889.

FRIDAY MORNING, March 1, 1889.

Committee called to order at 10 A. M. by Temporary Chairman Conn.

Present, Messrs. Fields, Conn and Henry.

Mr. Samuel C. Hanna being duly sworn by Chairman Conn, took the stand and testified as follows :

Examined by Mr. Henry.

Q. State your name.

A. Samuel C. Hanna.

Q. Residence ?

A. Reside here in the city.

Q. Occupation ?

A. Have been connected with the mercantile trade here in the city ; am not engaged in anything at present.

Q. How long have you resided here ?

A. Thirty-two years.

Q. You are acquainted with Mr. Gapen ?

A. Yes, sir.

Q. State whether you are one of his bondsmen ?

A. I notice this morning's Journal says I went on his bond six years ago ; I had forgotten it.

Q. You will state what, at this time, are your financial circumstances ?

A. I am not worth anything, sir.

Q. What, if any, were your business relations during the time you went on his bond, and since that, with Mr. Gapen ?

A. I had no relations with him at that time ; subsequently, however, we were interested in business in Arkansas.

Q. What were your business relations in Arkansas ?

A. We were in the lumber business together.

Q. You are now connected with him in business ?

A. Why, I think not ; he has not been there for two years. He has visited there, but not for any length of time.

Witness was then excused.

Mr. Robert Browning, being duly sworn, testified as follows, examined by Mr. Henry :

Q. State your name ?

A. Robert Browning.

Q. Business ?

A. Druggist.

Q. How long have you lived in Indianapolis?

A. Forty-five years.

Q. Are you acquainted with Mr. Philip Gapen?

A. Yes, sir.

Q. Are you one of his bondsmen?

A. I was on his bond the first time he was elected as Trustee, some six years ago. I have not been on any subsequent bond.

Q. Have you had any business relations with him?

A. None whatever.

Q. You may state what is your financial condition at this time?

A. Not very good at this time.

Q. Are you solvent?

A. Yes, sir; supposed to be.

Q. Can you give a little more definite idea of your present financial condition?

A. I am supposed to be solvent.

Mr. Fields:

Q. How much do you think you are worth over and above your debts?

A. I suppose ten thousand dollars.

Q. You are a householder?

A. Yes, sir.

Q. In what shape is your property, real or personal?

A. Both.

Q. Is your real property mortgaged?

A. Somewhat, yes sir.

Q. To what extent?

A. I do not recollect.

Q. About how much?

A. Four or five thousand dollars.

Witness was then excused.

Committee adjourned until 1:30 P. M.

FRIDAY AFTERNOON, 1:30.

Present: Messrs. Conn, Fields, Henry, Shockney, Hays, Duncan, Burke and Brown.

Dr. Harrison, being duly sworn, testified as follows, examined by Mr. Henry:

Q. State your name?

A. James H. Harrison.

Q. Residence?

A. Michigan City.

Q. Business?

A. Publisher of a newspaper.

Q. State if you have any connection with the Insane Hospital in an official capacity; if so, when the relation began, and what it is to-day?

A. I suppose I am reckoned as having none to-day. I understand the law was signed by the Governor, abolishing the office. I filed my bond six years ago to-day as President of the Board.

Q. Where did you reside then?

A. At Lebanon, Boone County.

Q. What was your business?

A. Publisher of a newspaper.

Q. State whether you gave a bond?

A. I did.

Q. In what sum?

A. Six thousand dollars.

Q. Who were your bondsmen?

A. Eli P. Baker, R. W. Harrison, George W. Campbell and C. H. Smith, is my recollection.

Q. How long did you reside at Lebanon, Boone County, after you were elected president?

A. Until about five weeks ago that was my residence. A portion of that time I moved temporarily to Greencastle, where my son was attending college.

Q. What was your occupation from the time you were elected until you moved to Michigan City?

A. I was a publisher of a newspaper all that time.

Q. What part of the time were you at the Hospital engaged in your duties there?

A. I have been there each month for six years. I never missed but one meeting at the Hospital, and that was when my son was very sick with fever, in the last six years.

Q. How many visits did you make there during each month?

A. Well, I think I can say I have visited the hospital twice a week, that is, an average of twice a week.

Q. What was the purpose of those visits?

A. Mostly inspection and observation. I felt that when I was in the city and had an hour or two of time, I ought to go out there, and used to go on the street cars.

Q. Where did you hold meetings of the Board?

A. During the six years we had three different places; in the Superintendent's office for probably a year; then an office up-stairs in the central building in the department for women for quite a while; and, when the store-house was completed, there was a Trustee's office built in it, and the books and papers and everything were kept there.

Q. Did you have an office anywhere else?

A. No, sir.

Q. Where did you receive bids, or have you been in the habit of receiving bids?

A. In the city; during the first year I think it was a room in the Board of Trade Building, and they finally moved us, and we rented a room for a couple of months in the Fletcher & Sharpe Block; and then I went to the Auditor of State and asked him if he could not give us a room in the State Building, to save the rent; and he turned over the Supreme Court Room. He said they only used it once a month, and we used it but once a month; and we roomed there until this building was completed; then we got room 25, where bids are received.

Q. What other business was transacted there?

A. I do not know of any before the meeting of the Legislature; no other business but the receiving of bids.

Q. What business do you transact there?

A. We passed on the bids, that was all.

Q. Who was allowed to be present during the transaction of business in that room?

A. The members of the Boards.

Q. Who else?

A. The Superintendent and book-keepers; no one else.

Q. Were any of the bidders allowed to be present?

A. No, sir.

Q. Anybody else?

A. No, sir.

Q. Were there no persons present except the Boards and the officers whom you spoke of?

A. No, sir.

Q. Why was the Superintendent and those other officers present at the meetings?

A. Well, we sometimes wanted to consult the Superintendent about the estimates.

Q. I have reference to the times after you received the bids, during which you opened the bids and passed upon them.

A. From the time we received them until we first opened them?

Q. Yes. What business had the Superintendent there to help pass upon bids?

A. None; but we would sometimes consult him regarding the requisitions.

Q. Where were the requisitions made out?

A. At the Hospital; and they were left in Room 25.

Q. Your consultation in reference to those matters was prior to the time these were received?

A. Yes, frequently, but not always.

Q. Had he any business with the Board, after that time, except to make requisitions and consult with you about them?

A. At those meetings? No.

Q. Was he ever present when you passed upon bids?

A. Yes, sir.

Q. What was the necessity of these other officers being there?

A. Well, as soon as we passed on the bids we turned them over to the Bookkeeper and Superintendent.

Q. In receiving bids, was there always competition?

A. No, sir.

Q. Did you reject bids when there was no competition, or what was your custom?

A. Do you mean when there was just one bidder?

Q. Yes.

A. We sometimes did; but if we thought the price was reasonable and that it was a proper bid, and that the contract would be a reasonable one, we often let it.

Q. What time was Mr. Gapen elected Treasurer of the Board?

A. Well, the nearest I could tell without referring to the books would be early in the fall of 1883.

Q. Who voted for him for that position?

A. I did, for one.

Q. Who was the other member of the Board?

A. Dr. Tarleton.

Q. Whom did he vote for?

A. I do not know.

Q. Has there been any re-election since that time?

A. I think not, only temporarily.

Q. Have you at any time demanded or required Mr. Gapen to give a bond as Treasurer?

A. No, sir.

Q. How long have you been taking goods and receiving bids from Mr. Sullivan?

A. Well, he has been a constant bidder ever since I have been in office.

Q. Did he deliver goods at any time to the other Institutions of which you were president—the Deaf and Dumb or Blind Asylums?

A. Yes, sir.

Q. Has he been delivering goods in the last three or four years to these Institutions?

A. I do not think he has to the Blind for three or four years, probably.

Q. State the reason why he discontinued delivering goods to that Institution?

A. He had some trouble with the Superintendent; I do not know what it was.

Q. Don't you remember it was on account of the butter, which was rejected by the Superintendent, and which was reported to the Board as being unfit for use?

Yes, sir, I believe it was.

Q. Was that the reason you discontinued taking things from him?

A. He just quit.

Q. Were you aware that Mr. Gapen was employed with Mr. Sullivan in his business?

A. I believe, probably a month afterward, I was notified of that fact.

Q. And you had no suspicion of his honesty, he being employed by Mr. Sullivan, and being Treasurer of the Board?

A. Well, when I was notified by the book-keeper, Mr. Hall, that he was employed there, we had a talk about it, and we did not approve of it, and at the meeting—the following meeting—

of the Board, I think it was the next day or two, it was at the Insane Hospital, the matter was talked over. Mr. Burrell and myself had concluded that Mr. Sullivan ought not be a bidder as long as Mr. Gapen was in his employ; and we told Mr. Gapen that if he took service with Sullivan we thought it best for Sullivan to discontinue his bidding for contracts. Mr. Gapen informed us that his services had no relation whatever with the selling of goods at all. He said it was simply the business with the banks, and bills of lading, and, I believe, signing checks; said he had nothing to do at all with the supplies in any way. And we finally concluded that was true, and that we probably had no right to exclude a man from fair competition in the bidding for contracts.

Q. Yet, at the same time, Doctor, when the bids were equal you voted for Mr. Sullivan, did you not?

A. Yes, sir.

Q. Was there any complaint about the goods furnished by him, at this time, at the Hospital.

A. The entire time?

Q. Yes.

A. Why, very little during the last year or two—less during the last 18 months than ever before. There has been some complaint of nearly all of them. The goods he has furnished during the last two years have been, as a general rule, pretty satisfactory—fairly so.

Q. Can you explain why his bills for the three items, butter, eggs and chickens, were so much greater for the last four or five months last past than they were for the corresponding months last year?

A. No, sir, I can not explain why they are. The other bids, in proportion, are greater than these.

Q. I mean as to the amount furnished?

A. As to the amount furnished, I think I can.

Q. For the month of December, there was something over \$2,800 of these three items, and in the year previous \$1,000 less for the corresponding month. Explain why so much more was used of these three products.

A. You will remember these are the months of the holidays, in which it has been the custom of the Hospital, for a great many years at least, all the time I have been connected with it,

and the records back for many years show, that they always give a Christmas dinner; and there are special Christmas expenses of that character.

Q. That would be the same in both months?

A. Well, in 1887, the turkeys we bought of another bidder, and they were all bought in 1888—no, I am thinking of the Thanksgiving dinner of the month before. Why, in 1887, one item in December was \$510.60 worth of eggs. That is one of the items is it not? That is in 1887. In 1888 we used \$698.28; a difference of \$187.68.

Q. Why did you use more eggs then?

A. There are a great many patients out there who have their own peculiar religious notions, and, while they are insane, they know just as well about their religion as anybody else; and on Fridays, for breakfast, instead of giving them meats, we give them eggs, as we did this morning.

Q. How many times in the week do you give them eggs?

A. One day in each week.

Q. That would be four days in a month?

A. Sometimes there are five Fridays in a month.

Q. How many eggs do you use in a month?

A. We used 360 dozen this morning; and five days, that would be for the month, two eggs to each person, and over 1,800 people.

Q. Well, you used about 3,000 dozen during the month of December last?

A. Yes, sir.

Q. In the month of December you used over 24,000 eggs?

A. Yes, we used more than that.

Q. Did you use 36,000 eggs?

A. No, I do not think we used that many. I think it was probably 33,000; but probably it was 36—say it was 36,000.

Q. Please give whatever explanation you have for the difference.

A. Well, during that month, in 1887, we used in sausage \$230. When we do not use sausage and tenderloin and a good many other articles of that kind we use more eggs and more chickens.

Q. How much did you use the year previous?

A. Two hundred and thirty dollars' worth of sausage, \$110 for tenderloins, and mince meat \$157. There was a reduction

in beef from the previous month—I think it was probably 3,000 pounds—that went into this bill, which was often the case. Then, I will say, in explanation, that during our meeting in September the Superintendent came in and told us he wanted an increase in the diet list. He wanted to increase meats and chickens and eggs; that he was not satisfied with the diet list; he thought the patients were not getting as much of that class of food as they ought to have. And we felt that he was the Superintendent and knew better as to the wants of the patients than we did; and he thought it was his duty to do that, and we told him to do it. Well, during the months of October and November it was increased considerably, and during the month of December it was very greatly increased; and we began to complain about the expense and to counsel a reduction in some of these things, especially in chickens and eggs, and from that time on it was reduced.

Q. Doctor, if the Superintendent had advised this, why did he not make it in his requisition here; why was this increase made after the bids were received and the prices fixed. Was not that the proper place for him to make an increase?

A. Our contracts are more or less of anything, and we generally cover the proposition of an increase or a decrease with our estimate. Now that meat, beef, 30,000 pounds, that was what we used formerly, and that was when we only had a thousand patients, and now we only use 20,000 pounds of beef, with 400 more patients. The difference is put into another class of goods which the Superintendent thinks is better for people of that mental and physical condition. Those people, you understand, or a great many of them, are great gormandizers, and eat like animals; and there are a great many that are delicate.

Q. I find that in November alone the amount obtained from Sullivan is over \$2,700; and you stated that Sullivan's bid did not amount to but \$2,100, and that you cut it down to about \$1,800 for the month of December?

A. Yes, sir. The eggs were cut off.

Q. You cut that bid down to \$1,800, and yet when you received the goods you paid a bill of over \$2,800?

A. Not for November.

Q. I mean for the month of December?

A. Well, when we saw the requisitions, and we found that

for October and November the supplies were increasing so much, we insisted that he make an effort to reduce, that is the Superintendent, especially on eggs. We used more eggs in November, 1887, than ever before. The amount used that month was, I think, 4,700 dozen.

Q. And when it came to accepting the bid, you cut it down two thousand, that is, the eggs?

A. The average issue of eggs is, I think, between 2,700 and 2,900 dozen per month. I think it was 2,700 dozen—well say that had been the average we had been getting along with. We thought he might possibly go back to the old amount and reduce it down, to make an effort at any rate to go back to two thousand dozen; as we were using chickens and oysters, and we would try and save something in that way; and he said he would try, but he did not. We felt that we were purchasing too much produce from Sullivan, and that we would make an endeavor to decrease it, especially as to the amount of eggs used, at 22 and 27 cents a dozen; having as I said used about 4,700 dozen in November. That increase we felt was too much at those prices, and that we would have to get on to some other kind of food that was cheaper, because the appropriation, with the vast amount of population, would not stand that; that the population was not decreasing and the appropriation was not increasing, and that we had to cut the garment a little according to the cloth.

Q. And yet Sullivan's bills increased right along until they reached \$2,800?

A. Yes, sir; it increased because of the increased supply of chickens and turkeys. We generally use about the same; the butter has always been about the same except in the summer months.

Q. I find that for last January it was \$2,371, and for the January previous, \$1,277. What is your explanation of the difference between those two months; did you not have about the same number of persons?

A. Some other bidder must have gotten part of the contract for the previous month, or there would not have been that difference. The books clearly show why this increase was made. We used less meat, and that is the condition right now, and have for the last two years, than we did six years ago, when there were only 1,000 patients in the hospital.

Q. And yet beef is lower now?

A. No, I do not think it is. We have paid from $5\frac{1}{2}$ to 7 cents ever since I have been connected with the hospital.

Q. Is there a difference between the price of beef in the winter and in the summer?

A. A little, but not very much; probably one-half or one-fourth of a cent. Our beeves generally weigh 600 pounds—when trimmed it must net 600 pounds, and it must be a steer. Our prices vary from 5 to 7 cents; I think, as a rule, that would be the range of prices. Sometimes it goes up; it is nearly always higher in March and April, when there is no grass. We have not always bought here, but we buy of dealers here a great deal.

Q. What time did Sullivan deliver the most of his January goods?

A. I do not know.

Q. Do you know when he left in January?

A. I do not.

Q. Then you were aware of his bills increasing each month?

A. Yes, sir, for six months.

Q. You also knew that Mr. Gapen was in his employment; and you also knew that he was under indictment and had gone through a trial in the United States Court?

A. Yes sir.

Q. Did these circumstances throw any suspicion into your mind in reference to his honesty in dealing with the Asylum?

A. Well, I did not investigate the matter as to my confidence in his honesty; but we felt that we were able to get what we contracted for, and that we were not getting any more.

Q. Did you not get more?

A. Probably we did; but our estimates are made upon those or less, and, as I said, we are estimating all the time for 30,000 pounds of beef, and we never use over 20,000 pounds. Sometimes we contract for a certain amount and the demand will be greater than the estimate, and therefore we call for it and get it according to the contract.

Q. Did you know of Gapen loaning any money to Sullivan?

A. No, sir.

Q. Did you ever investigate his bank account?

A. Nothing more than to ask Mr. Gallup how matters were getting along there, and he always replied that they were doing very well.

Q. That is the President of the bank?

A. Yes, sir.

Q. How often did you make inquiries of him?

A. I met him occasionally and asked him, and sometimes when I went into the bank on business of my own.

Q. Did you require Mr. Gapen to make statements of his account in the bank?

A. No, sir.

Q. Did you ever see his bank-book?

A. No, sir.

Q. Did you ever require him to furnish a statement of the balance he had in the bank?

A. No, sir.

Q. Did you know of Sullivan borrowing anything out of the contingent fund?

A. No, he never borrowed anything out of the fund. I will explain that. We owed him at one time—I do not know how much—between two and three thousand dollars, and he met me one day and asked me where in the world he could get money on his claim. I told him I did not know unless Dr. Galbraith would advance him some. He wanted to know if he would advance him a thousand dollars. I said I would ask him. I did ask him, and he said he would do it.

Q. When was that?

A. About a year ago.

Q. Was not Sullivan given advantages over other bidders, by the Board?

A. In what respect?

Q. In any respect?

A. No, sir. You mean in the matter of contracts? No, sir, only, all things being even, I voted for Sullivan, that was; but never excepting under these circumstances.

Mr. Hays:

Q. You spoke of \$1,000 that Mr. Sullivan got of Dr. Galbraith; do you remember when it was?

A. I do not remember just when it was; I would say about a year ago.

Q. Mr. Sullivan asked you about it on the street?

A Yes, sir.

Q. Was his bill due then?

A. I think it was; I think it was, probably; I won't say sure, whether it was a bill of the preceding month. We were working under the continuous appropriation act, and, there not being any appropriation made two years ago in the Legislature, we could not get but one-twelfth. There is about twice in the year that the Treasurer of State has no money; and at one time I think we went three months without any money, and the claimants had to hold their bills.

Q. When did Sullivan ever have to wait for his money?

A. When the Treasurer did not have it, he would have to wait. As I stated, there was three months in the last two years when the Treasurer never gave us any money; and when he did, he gave us for three months at once.

Q. Out of what money did Dr. Galbraith loan this money to Sullivan?

A. Out of the contingent fund.

Q. That would exhaust it, would it not?

A. No, sir; it is two thousand dollars, and is used to pay contingent expenses; probably the contingent expenses will run \$200 or \$250 a month. It is used mostly to pay discharged employes, or those resigning during the month; and for returning a patient, or expenses of that kind that can not be put off, which are audited by the Board, and the amount is made up at the end of each month. During three months the expenses of this kind would not exceed from \$600 to \$700. It is larger than necessary, would cover all the contingent expenses; it was made unnecessarily large.

Q. How much was due Sullivan then?

A. Over two thousand dollars.

Q. For one month's bill?

A. I think it was; I know it was over two thousand dollars, for when I went to the hospital I inquired as to the amount we owed him.

Q. Had the bill been presented to the Board?

A. I do not know; my impression is that it had, and that the Treasurer could not pay the bill; but I may be mistaken with regard to that.

Q. What time in the year was it that the condition of the Treasury was such that you could not get any money?

A. Well, it would generally begin in February, the taxes of November having been exhausted; that delayed then the payments in the spring; and frequently in July and August—probably it was September, I do not know just the month.

Q. Was this for March, 1888?

A. I said I could not tell.

Q. I see by the memorandum for the month of March that that was the only month in which he was allowed \$2,000 up to November?

A. My recollection is that we owed him \$2,700; that is, when the Doctor advanced him a thousand dollars.

Q. Was that one month's bill?

A. I think it was.

Q. Is it not true that Sullivan's bill was paid promptly every month?

A. It could not be. If the Treasurer did not have the money it could not be drawn and put in the bank.

Q. On what account was this debt to Sullivan?

A. For supplies.

Q. Maintenance?

A. Yes.

Q. This fund in the hands of Dr. Galbraith was a special fund?

A. No, sir; it was appropriated out of the maintenance fund according to law; it was set apart out of the maintenance fund to be used in special cases, and the law holds him accountable to us for it.

Q. He had no right, had he, to let Sullivan have that money on any account until the account was allowed by the Board?

A. The law says it is subject to his order; it is a special fund, subject to his order; and the proposition was that it was not doing anybody any good; that we owed the bill to Sullivan, and we could not see any impropriety in advancing him \$1,000.

Q. Was it paid to Sullivan on account, or was it a loan?

A. It was not a loan; it was paid to him on account. We would not have done so if we had not owed him.

Q. Was there an order drawn by you on the Treasurer for the amount?

A. No, sir; I had no control of that money.

Q. When Mr. Sullivan's account was paid for that month, was he allowed the full amount of his account?

A. Yes, sir; we allowed him the full amount, that was audited; the full amount.

Q. Was the order you drew on the Treasurer, for the full amount of his account?

A. Yes, I think so.

Q. Was the check drawn by the Treasurer, for the full amount of that account?

A. I think it was. My recollection is, that it was not taken out of the first payment; but continued over another month.

Q. If this thousand dollars was a payment on the account due Sullivan, how is it that when you allowed the claim you allowed the full amount of it?

A. The evidence, the fact that when he drew his money the check was for the full amount we owed him on account, and to correspond with my order and with the vouchers, so that the books would be square and clear; and as soon as he got the cash it could be turned over to Dr. Galbraith.

Q. What do you mean when you say it was not taken from the first month, but was carried to the second month?

A. His contract was continued.

Q. Was it taken out of the next month's account?

A. He was allowed the full amount; and, when the check was cashed, Dr. Galbraith deposited his thousand dollars to his own account.

Q. And you drew an order on the Treasurer for the full amount of his account for the next month?

A. Yes, I think I did,

Q. And the check which Mr. Gapen drew to Mr. Sullivan's order was for the full amount?

A. Yes.

Q. Was the check delivered to Sullivan?

A. No, I think not.

Q. Who cashed the check?

A. I am not sure, but I think Dr. Galbraith took it.

Q. From whom did Dr. Galbraith get it?

A. From Mr. Gapen; or Dr. Galbraith was with Mr. Sullivan when it was cashed, and the thousand dollars was taken out.

Q. Then the thousand dollars which Sullivan got of Dr. Galbraith did not appear on the account as a payment?

A. I think not.

Q. It was not treated as a payment on Sullivan's account; but simply as a cash loan?

A. It was loaned to him because we owed him.

Q. That was credited to the amount you owed him?

A. No, sir.

Q. Explain why, if this was a payment by Dr. Galbraith to Sullivan on account, it was not entered on the books?

A. Because we hardly ever paid part of a bill.

Q. Was it not a common thing, ever since this deficiency existed, to pay parts of bills?

A. Once in a while we had it to do, but in this case we did not.

Q. Was it not a common practice to pay parts of the large bills?

A. No, sir; it is not a common practice to do it; but occasionally, in order to make the accounts come up.

Q. Did you regard the thousand dollars as a part payment on his bill?

A. We did.

Q. They why was it not entered on the registry books as a payment on Sullivan's account; and why was not an order and a voucher drawn for that amount when you gave him the money?

A. Because we regarded it more convenient to do it the other way.

Q. Was it not because you regarded it as a loan?

A. No, sir.

Q. Then, if it was a payment, why, when you passed on his claim for that month, did you audit and allow the full amount, when he had already received a part payment?

A. Because we preferred to do it that way, and to keep the books and the vouchers and the order so as to show that we paid the bill.

Q. Is there anything, Dr. Harrison, to your knowledge, appearing upon the books of the hospital, on the Treasurer's account, on the Trustees' Record, or on the record of the Superintendent, showing the fact that Dr. Galbraith paid Sullivan this thousand dollars as a payment on his account?

A. Not unless the Superintendent has it on his contingent fund.

Q. Did you ever examine to see whether there was any record of that account?

A. I never did examine to see how he kept his books. He made his report once a month as to the disposition of the contingent fund.

Q. Did it appear on any of his monthly reports?

A. I do not think it did.

Q. Did you ever examine any paper, memorandum or ticket, to see whether Sullivan was charged on account of that thousand dollars; or any book connected with the hospital? You had general supervision of the whole thing, as President of the Board, did you not?

A. No; I can not look after everything; I am only President of the Board.

Q. You pass on the accounts of the Treasurer and Superintendent, do you not?

A. I am one of the Trustees that do.

Q. In any of your accounts as Trustee, at any time, have you ever audited any account of that character, showing a partial payment to Sullivan of \$1,000 on account?

A. No, sir, I do not think I did.

Q. Then you do now say that there was a thousand dollars in part payment to Sullivan that does not appear at any place on the books?

A. Advanced to him, yes, sir.

Mr. Fields:

Q. Dr. Harrison, you know Mr. Sullivan very well, do you?

A. Yes, sir.

Q. You know Mr. Gapen very well?

A. Yes, sir.

Q. And you know Mr. Gapen's business character and business habits?

A. Yes, sir.

Q. What was he engaged in, in the matter of business, when he was elected Trustee?

A. I do not think he was engaged in any business at that time.

Q. Was he a man of any financial means?

A. I do not think he had very much. I do not know.

Q. And you elected him as the Treasurer of the Board?

A. Yes, after a while.

Q. How long was it after he was elected Trustee until you elected him Treasurer?

A. I think it was the first year.

Q. Did you require him to make any report to the Board of his doings?

A. As Treasurer?

Q. Yes, sir.

A. Yes, he reported to us generally.

Q. Generally?

A. Yes; we would ask him with reference to deposits and payments.

Q. At stated times?

A. Most every meeting.

Q. Did he ever make a report to the Board in writing?

A. I do not think he did.

Q. You knew nothing of his management of the finances of the Institution, except as he told you?

A. That is all.

Q. Well, when did you first discover that there was a deficiency in the moneys—in the money of the Institution, that it was running behind in its bills?

A. When I went in there were several thousand dollars behind, six years ago; and that had been running for a long time, it must have been forty years.

Q. Do you know how it occurred?

A. How it began? No, I do not.

Q. Do you know who the money was coming to?

A. Forty years ago?

Q. You know what I mean. Who was it owing to?

A. Different ones; unless I had the books I could not tell.

Q. Was there ever any request that it should be paid?

A. Yes, sir; we kept them up, and finally paid the greater part of them.

Q. Do you remember how much you paid?

A. Four or five thousand dollars.

Q. That was the greater part of the deficiency?

A. Yes, sir.

Q. Then the present deficiency has accrued since you went in?

A. Yes, sir; I would like to explain—

Q. The deficiency which was outstanding for a long period of years; since you went in, you have paid it, mostly?

A. I will not say that; you do not understand my answer to that question. At the end of every fiscal year, from the beginning of the history of the hospital, there have been unpaid claims; and it is impossible to get them all paid on the 31st day of October. We have had money enough to pay all of them, but turned it back into the Treasury, and owed the money, because we could not audit the claims. If a machine in the laundry, worth \$300, would break, we would have to send to Providence, R. I., to get it repaired. It would not be delivered until the 25th or 26th, and we could not get a voucher there and back, and get it audited and get their receipt, until midnight on the 31st of October. Well now there are quite a number of these claims, and we have turned back money enough to more than pay them; yet we could not get them in at the proper time, and therefore they were carried over into the next year. They are not long-standing accounts, they do not stand long. If it had not been for the increase in the price of a good many articles, like coal and potatoes, there would be no deficiency. In 1886, we turned back into the Treasury \$13,000; that is, the Treasurer turned it back, because we had not gotten it out; and we owed about half of it.

Q. At the end of the fiscal year bills had accrued during the last month, the latter part of it, causing—interrupting—

A. I did not say that.

Q. You said bills were contracted, but had to be withheld to get vouchers?

A. Yes, sir.

Q. How did they run over?

A. Once in a while a man is away and you can not get his receipt.

Q. Does that occur to any considerable amount?

A. When you come to notice the fact that the expenses are \$25,000 a month, taking the specific appropriation, and find it has been from four to five thousand dollars, it is only about twenty per cent. of the amount.

Q. I will ask you to state if a man having a claim for a large amount would let it run over for a month or more?

A. There are men in the city that have let twenty-five hundred dollar claims run over two months, and we have had to go after them.

Q. Did Sullivan do that; did you ever have to go after him?

A. No, I do not think we did.

Q. He generally went after you?

A. Yes.

Q. He generally needed his money?

A. Yes. As I said, in 1886, two years ago last October, there was several thousand dollars which just went into the next year, and we turned back thirteen thousand dollars of the appropriation, and the Auditor transferred it to the general fund.

Q. That much money you did not draw?

A. No; we did not owe the half of it.

Q. Did you get that with the next year's appropriation?

A. No, it went into the general fund. We got along very nicely the next year until the failure of the potato crop. Where we had been buying potatoes at 40 and 50 cents per bushel by the car-load, we had to pay as high as \$1.30; and the vouchers for the fiscal year closing last October, show that the price of potatoes averaged nearly one dollar per bushel.

Q. Did you not raise some potatoes during three months of that year?

A. We have a little patch down by the barn, probably an acre and a half, and it will not raise five meals for the hospital.

Q. What did Mr. Gapen mean when he said that they raised most of the vegetables they used, during the vegetable season?

A. I do not know. They raised about 290 bushels of potatoes last year. We had to pay very high for potatoes; that increased our debt.

Q. Do you remember the amount of potatoes bought for the year?

A. It was a little less than ten thousand bushels, perhaps two hundred bushels less than that. When we ought to have gotten them for \$5,000, they cost us nearly \$10,000.

Q. That is a part of this deficiency now outstanding?

A. Yes, sir; we had 1,000 bushels to begin with.

Q. How much fuel did you use? This account says about \$14,000 or \$15,000 worth?

A. That is about right.

Q. What made it that much?

A. Coal for last year cost us more than it ever did before ; the price was higher and the winter was longer.

Q. How much more did you use last winter than the winter before?

A. I do not remember about that. There was a strike at the mines and we had a great deal of trouble to get coal. I was telegraphed two or three times during the very cold weather to provide coal for the hospital. We had to do the best we could, and it was very difficult to obtain on account of the strike. That was a very long cold winter.

Q. You say this thousand dollars was paid to Sullivan out of the contingent fund?

A. Yes, sir.

Q. How much is that fund per month?

A. Two thousand dollars. The law requires us to provide two thousand dollars out of the maintenance fund, and the Superintendent uses this as a contingent fund, to pay the necessary expenses that cannot be put off. If it is two hundred dollars, he makes a statement of expenditures, and we reimburse him to make it up to two thousand dollars.

Q. When was it he paid Sullivan this two thousand dollars?

A. I think in 1888.

Q. About what month?

A. I think about a year ago.

Q. The Superintendent makes report to you every month?

A. Yes, sir.

Q. Do you remember of his stating in his report that he paid a thousand dollars to Sullivan?

A. I do not think he did.

Q. Was it not the object of the Superintendent and the Board to keep that thousand dollars off the books?

A. No, I do not think it was.

Q. Does not the Superintendent always make a statement to the Board, of his expenditures of the contingent fund?

A. Yes, sir.

Q. You say he never made a statement of it, you made no minute of it, the Treasurer made no memorandum; was there no memorandum made of it anywhere, or a scratch of the pen?

A. I do not know.

Q. If the Superintendent had put it in his report you would have known it, would you not? Do you read his report?

A. Yes, sir.

Q. Was it not the object of the Board, and of the Superintendent to keep that off the books?

A. I do not know; but the intention was, as soon as he got the money, as soon as the check was cashed, this would be taken out, as it had been advanced to him; and as soon as he got the money he was to replace it to the contingent fund.

Q. Was that your understanding with Sullivan?

A. Yes.

Q. Do you know what understanding the Superintendent or Gapen had with him?

A. No, sir.

Q. You did not take it out of the first month?

A. No, we took it out of the second month.

Q. Is it your recollection that Gapen drew three months' appropriation at one time?

A. I do not know. I know we had a good deal of trouble in getting money to pay expenses at certain times during the year.

Q. You do recollect that for three months he did not pay anybody?

A. I think that is true. I will not say three months; of course, it is a matter simply of memory, and I can not say.

Q. Was it two months?

A. Yes, sir.

Q. It was either two or three?

A. Yes, sir.

Q. Do you think it was for 1888 or 1887 that the three months' deficiency occurred?

A. I can not remember; it dates back.

Q. It was one or the other of those years?

A. Yes.

Q. If he drew for three months, or two months, in 1887 or 1888, ought it not to appear in his bank-book that he deposited that amount?

A. Yes, I should think so.

Q. Do you know whether any such item is entered in his bank-book, in either 1887 or 1888?

A. I do not.

Q. You say you did not know anything about this habit of Gapen's carrying the money ten days and loaning it before paying it out?

A. No, sir, I did not know anything about that.

Q. You did not know anything about Sullivan using that money?

A. No, sir, I did not.

Q. You stated that, other things being equal, you voted for Sullivan's bid; why?

A. It was a matter of friendship; simply because when I was a candidate for office for this position he was my friend in the election; and I am made up of that material that—interrupted—

Q. He was a power in politics, and you wanted to stand by him?

A. He had been in my case.

Q. The substance of what you say is that he had influence, and if he stood by you you wanted to stand by him?

A. He had stood by me, and, all things being equal, I stood by him.

Q. If other things were not equal, did you make them equal?

A. No, sir, I did not.

Q. You do not conceive that you ever managed his bid in any way so as to make it equal?

A. No, sir.

Q. You knew of the fact of Gapen being in Sullivan's employ?

A. Yes, sir.

Q. At the time?

A. No. Oh, I knew it within a month after.

Q. You were on intimate terms with Sullivan?

A. You may call it that if you please.

Q. Did you notify Sullivan that, other things being equal, his bid would be received in preference to others?

A. No.

Q. Then what good would it do Sullivan that he got the bid over another at the same price; how would it help you? Two

bids being the same, Sullivan's and another, and you gave it to Sullivan; how would that benefit you if you did not let him know it?

A. Probably I told him.

Q. You told Sullivan that you had voted in his behalf, instead of for the other man?

A. Probably I did do that.

Q. And you say you did that because when you were a candidate for this position he had helped you, heretofore?

A. Yes, sir, he had helped me as much as any other man.

Q. You felt that you were his creature, as far as official position was concerned?

A. No, I did not say that.

Q. Was he not a man of great political influence in Indianapolis?

A. I think so.

Q. Was he before you went into office?

A. No; but he was afterwards.

Q. Did you not curry his favor?

A. I had no favors to ask; I was in an official position, and was not a candidate for any office.

Q. Were you not a candidate for this office, and wanted to keep on the good side of Sullivan?

A. I had not seen him when I became a candidate; he came to my help and I was elected.

Q. You simply put it on the ground of gratitude?

A. That is it.

Q. Did he help Mr. Gapen any?

A. I am not sure; I do not know; I have no positive impression as to whether he did or not.

Q. You were a candidate at the same time?

A. Yes, sir.

Q. You and Gapen were elected at the same time?

A. Yes, sir.

Q. Sullivan was not against Gapen, was he?

A. No, sir.

Q. If he had been, he would not have been elected, would he?

A. I do not know about that; that is a conjecture.

Q. You say it is your impression that this check that was drawn for Sullivan, paying this full amount, was cashed by Dr. Galbraith?

A. I do not know about that; I could not say as to that; I do not know. Dr. Galbraith deposited the thousand dollars; he said he did, and his report shows that he has his two thousand dollars.

Q. Did Dr. Galbraith in any of his reports to you, show that he had deposited another thousand dollars, or any thousand dollars?

A. I do not know as to that.

Q. Did it show to you that he had ever drawn a thousand dollars?

A. I do not know.

Q. As for as that thousand dollars is concerned, it is absolutely in the dark, except as a mere matter of memory?

A. Yes, sir, so far as I know.

Q. Going back to politics, did you and Gapen make any combine between yourselves while candidates to secure the caucus nomination—he help you, you help him?

A. No.

Q. Did you make no agreement with Gapen that you would vote for him, and use your influence for him, if he would do the same?

A. I do not remember of it.

Q. If you did you would remember it?

A. Yes, sir.

Q. Was there ever any proposition of that kind between you and him?

A. I have no recollection of it.

Q. Nor between you and Sullivan to use your friends for Gapen?

A. No, sir.

Q. You never had any combination with Sullivan?

A. No, sir; I was simply for him. It was a little fight between Fishback and me.

Q. How long did you know Sullivan before you were a candidate?

A. I never knew him before I was a candidate.

Q. You do not know what influenced him in your favor?

A. No; I know he was for me.

Q. Did he ever tell you he was for you?

A. Yes, sir.

Q. Did he talk with you about it?

A. Yes, sir; he met me on the street one day, and said he was for me.

Q. And you have felt friendly towards him, in gratitude, ever since?

A. Yes, sir.

Q. Where did you have these meetings to consider bids and make allowances?

A. We had four places; first in the new Board of Trade building.

Q. Before the State House was completed?

A. Yes, six year's ago.

Q. Where do you hold meetings now?

A. In room 25, in the State House.

Q. How long have you been holding meetings there?

A. About — years.

Q. Is that on the first floor, or second floor?

A. On the first floor.

Q. Do you admit people to your meetings when you consider bids?

A. No.

Q. How late do you receive bids there?

A. Ten o'clock in the morning.

Q. On the day to be considered?

A. Yes, sir.

Q. And not later?

A. Probably we have gone over, five minutes.

Q. Do you know whether Sullivan bids late, or bids early?

A. His bid was always there when we opened them.

Q. Did he file his bid on the day you opened them?

A. Yes. Nobody files their bid until probably half an hour before they are opened; say a quarter or half past nine o'clock.

Q. And you mean to say that nobody's bid is received after the bids have been opened?

A. No. The three Boards meet in the same room. I am President of the three Boards, and we have three tables; each Board has its table. The bids are separated, and those belonging to each Board are taken to their respective tables and opened.

Q. You are three times President and three times Trustee?

A. Yes, sir.

Q. Did Sullivan help you to be elected to all of them?

A. It is just one place.

Mr. Hays:

Q. You speak of this deficiency being an old deficiency. Was there ever a time until within the last year when the Board had to refuse the payment of claims for the want of funds?

A. Well, I do not remember now. Since I have been in office we have had two of these "bouts" where the Legislature refused to appropriate, but then we worked under the continuous appropriation.

Q. You spoke of there always being a balance over from one year to another, on account of claims not being presented; was there ever any claim carried over from one year to another, prior to the last year, for the want of funds?

A. I think not.

Q. Then the only deficiency existing heretofore was simply from the fact that there were claims for the month of October that had not been presented to the Board and allowed for the fiscal year?

A. Yes, that is about it.

Q. Had there been any prevention of the allowance of claims before that on account of the want of funds?

A. No, sir.

Q. Is it true that your deficiency has been increasing at the rate of \$1,000 per month, for the last three months?

A. Yes, sir; the expenses always increase through the fall and winter months. This deficiency, under the present management and present economy, will run down to six or seven thousand dollars by next summer.

Mr. Brown:

Q. You put in natural gas at \$11,000.00 a year; that was in November?

A. Yes, sir.

Q. That is a difference of about twelve thousand dollars a year, is it not?

A. Yes, sir.

Mr Hays :

Q. At the close of the fiscal year of 1886, I see by your report there was an unexpended balance in the maintenance fund of thirteen thousand dollars, \$13,000.00 ?

A. Yes, sir.

Q. That was left in the Treasury, on the appropriation of \$260,000.00 ?

A. Yes, sir.

Q. You got that balance the next year ?

A. No, sir; that went into the general fund.

Q. You used another fund the next year ?

A. Yes, sir.

Q. At the close of the fiscal year of 1887, you reported unexpended balance in maintenance fund, \$52.26.

A. Yes, sir; we found when we summed up our vouchers that we had not enough indebtedness to cover that, and we turned it in.

Q. Up to that time there had been no bids rejected or refused allowance, on account of there being no funds on hand ?

A. I do not remember.

Q. Were there any vouchers outstanding to cover that \$52.26 ?

A. I think there were.

Q. Orders drawn by the Board ?

A. Oh, no. All that would be outstanding would be a balance for goods for which there had been no bill presented.

Q. It was your purpose to close up the business of the year at the end of October, and pay everything and exhaust the fund, if possible ?

A. Yes, sir.

Q. And when you did that you still had a balance of \$52.26 ?

A. I think there were some bills which we could not pay, and we did not use the \$52.26.

Q. Did you show in your report at that time that you were unable to meet the bills outstanding on account of deficiency in the appropriation ?

A. I do not remember.

Q. In your report for the year 1886, ending October 31, I see that you say the average daily attendance of patients was 1,542; about what it has been during the last year ?

A. Yes, sir.

Q. And an unexpended balance at the end of the year of \$13,000.

A. Yes, less what we owed.

Q. You always have that. You started in with that and come out with that each year; but you never had a deficiency until this last year?

A. My impression is that we did owe, probably a year ago, several thousand dollars, and that we could not pay everything on the 31st day of October; and when we summed everything up, we found we just had \$52 in the Treasury, and we just let it go back into the general fund, and reported it as having gone back. I will say this much, I do not think the indebtedness on the 31st of October, 1887, was very much greater than it had been from time to time, year to year. I think it was some more.

Q. This last year? When was it that you got to the condition where you were compelled to have bills held back, and not presented for the want of funds?

A. When prices went up and expenses got higher.

Q. What time in 1888 was it, when the potato crop failed and the price of coal went up?

A. In the winter time. We paid as high as \$36 a ton for coal, in the fiscal year ending October 31, 1888.

Q. What time was it in that year that you found your monthly allowance insufficient, and you were compelled to let bills go over from month to month, for want of funds?

A. I could not say, as to the time of the year.

Q. From the time it began, did the deficiency continue to increase \$1,000 a month?

A. We cut it down last summer, my recollection is, to \$8,000.

Q. That was exclusive of the current monthly amounts in the bank?

A. We cut it down to where we were within \$8,000 of being clear.

Q. Did that include the current account in the bank, or was it

A. If we had had eight thousand dollars more money, we would not have owed anybody anything.

Q. When did you put in natural gas?

A. I suppose some time in November.

Q. That would reduce your expenses something like one thousand dollars a month?

A. Yes, this winter it would, through November, December and January.

Q. With that reduction in your expenses for six months, has your indebtedness continued to increase at the rate of one thousand dollars a month?

A. I am not sure as to the exact amount each month, but it has increased along, even with the saving on fuel.

Q. You did not have occasion to use fuel until you used natural gas?

A. Yes, we used some fuel every day of the year.

Q. I mean in large quantities?

A. During October we used a great deal of coal.

Q. Was not October an unusually mild month?

A. Yes, but we used a great deal of coal. We bought a quantity of coal that is there now. We were informed by the gas men that there was no absolute assurance that we would not run out some day, and we put in a few hundred tons of coal.

Q. I understand you to say that your unusual expenses for 1888 was occasioned by the high price of fuel, and the cold weather. Was there any difference in the weather of that year and the year of 1887? Was not that a very cold winter, too?

A. No, it was not near so cold that winter as last winter.

Q. If the expenses of that year were daily increased by the excessive cold weather and the price of fuel, why is it that your appropriations have not been sufficient this year, in view of the fact that you have natural gas?

A. You are putting it on the ground that it was for coal. I told you it was largely due to the increased prices of many articles, and coal is only one of the articles.

Q. Why do you make this statement that the sum of \$260,000 will meet the expenses of the Hospital, in your report?

A. I think they will.

Q. You made that statement in the face of the fact that your expenses have been increasing at the rate of one thousand dollars a month?

A. That is a small increase.

Q. Do you know how long since the artificial gas bill has been paid?

A. I do not remember.

Q. How many months are you behind in your gas bill?

A. I do not know.

Q. Is it not true that that gas bill has not been paid since September?

A. It may be true.

Q. What is the amount of your gas bill a month?

A. Sixty or seventy dollars a month.

Q. How much behind are you in your fuel gas?

A. We are not any; we allowed the bill and drew a check at the last meeting.

Q. Has it been paid?

A. I do not know.

Q. Was that for the month of January?

A. Yes.

Q. Has the natural gas bill for the month of December been paid?

A. I do not know; the order was drawn and the check. The contract is that we pay one-twelfth of that \$11,000 every month; and they are prompt in presenting their bill every month, and thus far it has been allowed.

Q. Have you refused to allow any of the fuel gas bills for the want of funds?

A. No, sir.

Q. Have they been held back and not presented, for want of funds?

A. I think not.

Q. Are they in the habit of presenting them monthly?

A. Yes, sir.

Q. Have you any recollection of allowing a bill for artificial gas within the last three months?

A. I do not remember. The reason I remember the other is that when that comes up, it impresses me with the fact of how nicely we are getting along with it.

Q. You spoke about inquiring at the bank occasionally about the bank account; did you refer to the expense account?

A. I simply asked Mr. Gallup how we were getting along.

Q. To what did you refer?

A. He was anxious to have the deposits of the Institution in the bank, and I spoke about it to know if our business was satisfactory.

Q. You knew, each time, that when Gapen drew the money from the State Treasury the checks were drawn for the full amount, and that Mr. Gapen had nothing to do with the money except to deposit it in the bank for the men who got the checks, and that there could not be anything to inquire into about the account; had there been any complaint by anyone that they could not get their money?

A. No, sir; nobody had ever complained about not getting their money while he has been Treasurer, during the last five years.

Q. Now, you spoke about there being a time that you could not get any money from the Treasury for three months at a time.

A. Yes, that is my recollection.

Q. Look at Mr. Gapen's bank-book ever since May, 1887, and see if there is any month there in which he failed to deposit some money to his account as Treasurer?

A. I do not know when this occurred.

Q. Do you mean to say that you do not know whether or not it was before May, 1887?

A. I want to say this, that in the six years' business at the Hospital I can not remember everything and the date of it. When you ask me to state the date of a single item I find that I cannot do it; it is impossible.

Q. Do you remember whether this failure to get the money occurred since May, 1887?

A. My impression is that it was, but I may be mistaken.

Q. Do you remember when Gapen went into Sullivan's employ?

A. Yes.

Q. Was this trouble since then?

A. I am not sure.

Q. Was this transaction about the thousand dollars which Sullivan got of Galbraith since Gapen's employment with Sullivan?

A. I think it was.

Q. Look at this bank-book and see if, since October, 1887, there has been any time that he failed to deposit to his account as Treasurer any money in any month?

A. The way this thing looks, it looks as if it had been deposited pretty generally along here.

Q. Is it not true that every month since Mr. Gapen was in Mr. Sullivan's employ he has drawn the moneys from the State Treasury?

A. As I said a while ago, I do not know that that is the case. I did not pay them.

Q. Were you not mistaken in thinking that the occasion for Sullivan's getting this thousand dollars was the failure of the Treasurer to get any money from the State Treasury?

A. It is possible. I did not say that was the case.

Q. Did you not say it was occasioned this way: That while Mr. Gapen was absent in Arkansas the Secretary called for the money and was unable to get it, and for that month there was no money drawn because the Treasurer was not here?

A. Yes, that is true; I remember that.

Q. Is not that the only time there was any failure to get money from the Treasury?

A. No.

Q. When was there any other failure?

A. I can not say, but I know it has been the case that there was no money in the Treasury. I do not remember when it was, but I know of three months the expenses had to lay up, and the employes did not get their pay for quite a while, and they were complaining at the delay. I can not give the dates, but I can get them for you.

Q. Do you think this letting Sullivan have the thousand dollars out of the contingent fund had anything to do with that?

A. I can not tell.

Q. Did the Board take any action as a Board upon the action of Dr. Galbraith in letting that thousand dollars go out of the contingent fund?

A. I do not know.

Q. Did you and Mr. Gapen have any conversation on the subject?

A. I think not.

Q. Was there anything said in your presence at the Board meeting about that thousand dollars?

A. I think not.

Q. That never was considered by the Board?

A. I do not remember.

Q. I will ask you as a matter of fact if that did not take place in September, and before Sullivan's bill was passed on and allowed by the Board of Trustees?

A. My remembrance is that it was later than that—last November a year ago. It has been at least a year ago since it occurred.

Q. You are sure it was after Gapen went into Sullivan's employ?

A. I think it was.

Mr. Henry :

Q. Doctor, what is the object of having those books of requisition?

A. To set forth the articles we want.

Q. Turning to the month of October, 1888, state if that requisition corresponds with the bid made by Mr. Sullivan for that month?

A. It looks like it; yes, sir.

Q. And what was the bid of Mr. Sullivan for produce for that month?

A. \$1,224.

Q. Then state how much Mr. Sullivan was paid for the month of October?

A. \$1,759.14.

Q. So the amount he furnished overrun his bid, \$500?

A. Yes, sir; about.

Q. I will ask you in reference to the following month, November. Does the bid correspond exactly with the requisition for that month?

A. Yes, sir.

Q. State what was the amount of his bid for the month of November?

A. \$1,899.

Q. State the amount he was paid for that month?

A. \$2,724.

Q. State if the requisition corresponds with the bid for the month of December. If not, state the difference?

A. There was a reduction made in the eggs, of 2,000 dozen taken off the requisition.

Q. That was done by order of the Board?

A. Yes, and the consent of the Superintendent.

Q. State the amount of the bid, after the reduction of 2,000 dozen eggs.

A. \$1,943.

Q. State the amount of money paid for produce that month?

A. \$2,816.28.

Q. State whether the requisition and the bid correspond for the month of January, as to the amount of eggs?

A. Yes, sir.

Q. State the amount of the bid made by Mr. Sullivan for the month of January?

A. \$1,770.

Q. State the amount paid Mr. Sullivan for that month?

A. \$2,371.06.

Q. You will state to the committee, if the Superintendent is a competent man to make out requisitions for the hospital?

A. I think he is, probably.

Q. Why is it that he has made requisitions in these several instances that I have looked at, so small; and yet, his demand each time has been so great?

A. I think there has been one error, I know so, in one respect; they use over five and six thousand pounds of butter every month; but the contract reads, "more or less," and that error in butter has been continued because of that fact.

Q. How long has that mistake been running?

A. I do not know, I think for a good while. That has been on the requisitions for a year, or two or three years.

Q. Do you think he furnished that much butter when he only received twelve and sixteen and eighteen hundred dollars a month?

A. I do not know; I can not tell until I have looked at the vouchers.

Q. State whether in making out requisitions for other provisions the Superintendent makes as great mistakes as in these estimates?

A. Yes, sir, on the question of meat. I think you can see that the requisition has been for 30,000 pounds of beef, while

the amount used is 20,000. It used to be 30,000. It used to be 1,000 pounds a day; but now we do not use but 20,000; we use 10,000 pounds less than a year ago. Yet that 30,000 has been kept up in case we would want it.

Q. So these requisitions are just the same?

A. No, they approximate, and the bidders understand, and the prices for all, nearly, are more or less.

Q. In buying meat it runs below the estimate, and butter runs above?

A. Yes, sir.

Q. Is it not the duty of the Superintendent to make out a requisition of what he actually thinks is necessary for the support and maintenance of the inmates of the Hospital?

A. Yes; that is, he approximates it. He can not tell what 1,800 or 2,000 people will require.

Q. Can he not tell in coffee, tea and sugar?

A. No.

Q. Would those things be estimated?

A. Well, you see the concern is so big that the estimate will vary very much. In 1883 we were using 31,000 pounds, the average was nearly 38,000 pounds of beef, and in 1887 it was 24,000. In 1883 the average of butter was 50,935 pounds; and in 1888, six years afterward, it was 57,740 pounds, with 400 more people. So you see, it is only an approximate. Now, in tea: In 1883 we used 9,081 pounds of tea, and up to 1888. We only use 7,488 pounds now, and we have 400 more people.

Q. Is that because you use so much milk?

A. Yes, sir.

Q. Have you got the amount of coffee?

A. I do not think I have; I will get it for you though to-morrow. In 1883 we used 15,560 dozen eggs; in 1888, 33,187 dozen. The difference is more than double.

Q. You used 33,000 dozen eggs in 1887?

A. Yes, sir.

Q. That makes a little over 2,600 a month?

A. Yes, sir; between 2,600 and 2,700 dozen a month. And that month you spoke of—I want to be clearly understood upon that—that month where it is 2,800, we used 4,400 dozen of eggs. I think there were five Fridays in that month; I am not sure, but on the book of issues it shows it, and it takes 360 dozen to make a meal. I would say that one-third or one-fourth of the

patients out there, and over half of the employes, do not eat meat on Fridays, and use eggs, oysters and fish; which largely compensates for that increase.

Mr. Hay :

Q. Doctor, I want to call your attention to these bids for produce for October, 1888. How many bidders were there that month?

A. There seems to be three here.

Q. State what the bids were?

A. Sullivan's bid	\$1,224 00
Budd's bid	1,274 00
Jordan's bid, same as Sullivan's.....	1,224 00

Q. Who was the contract awarded to at that time?

A. Sullivan got the contract.

Q. Was it awarded altogether, or was it divided out?

A. I do not think we divided it; we hardly ever did. It is not a rule to do that.

Q. Is there any difference in the prices on the different articles? What was Sullivan's bid on butter?

A. Butter.....	\$18 00
Eggs	18 00
Chickens	12 00

Q. What was Budd's bid on those articles?

A. Butter.....	\$20 00
Eggs	16 50
Chickens	12 00

Q. What was Jordan's bid on those articles?

A. Butter.....	\$18 00
Eggs	18 00
Chickens	12 00

Q. Mr. Jordan's bid on eggs was less than the others?

A. Yes, sir; on butter it was not.

Q. I want to call your attention to the estimate book for that month. On the back of it I see that Dr. Harrison was appointed to award the contract for butter. Mr. Gapen absent and the other two members failing to agree. Who made that memorandum?

A. I did not make this.

Q. Whose writing is it?

A. It looks like Mr. Burrell's.

Q. In what connection was that written?

A. I do not know now.

Q. That would indicate that you were appointed to award the contract as an entirety?

A. Yes, but I do not remember. I think probably that is intended for butter and eggs, and I think it means this contract. I think that ought to be produce, probably.

Q. You think that covers the entire contract for produce, instead of butter?

A. Yes, sir; I think it did. Mr. Gapen does not seem to have been present.

Q. I see a memorandum in the book which says that lots were cast?

A. I think Mr. Burrell cast lots. I think there is some mistake about this, and that they cast lots on the two bids.

Q. Why would you put that memorandum on two bids if they cast lots on one bid? The memorandum is on Budd's and Jordan's; on the face.

A. I do not know.

Q. You did not cast lots between all three of those bids?

A. No, just the two that tied.

Q. Why was this memorandum made by Mr. Burrell?

A. I do not know; but this does say that we cast lots, and I remember it distinctly.

Q. Why did you make this memorandum on your minutes of that day: "Dr. Harrison appointed to purchase butter, there being a failure to agree, P. M. Gapen being absent?"

A. Probably the assignment was made; I do not remember; but that is the way it was determined—by casting lots.

Q. This minute was made up after the transaction took place, was it not?

A. Yes.

Q. And signed at your next meeting?

A. Yes; I did not know that was there.

Q. Yes, it is there?

A. I see it is. What month is this?

Q. For the month of October, 1888. Now, Dr. Harrison, if that only refers to butter, and that was a matter about which there was a tie; if the matter of butter was only settled by lots—interrupting—

A. My recollection and judgment is that it was for the whole produce bill, and not for the item of butter.

Q. Who furnished the produce for that month?

A. I think Sullivan; I think he got the contract.

Q. He did not get the contract under that memorandum.

It was referred to you to purchase without any contract?

A. I see here that lots were cast.

Q. Which did you go by, the minutes made by yourself, or the memorandum on all the bids, which you can not account for?

A. I go by the bids.

Q. And not by the minutes?

A. I do not understand; the transaction has escaped me entirely for the time.

Q. Will you explain why it was, if it was simply a memorandum of casting lots between two bids which were equal, that the memorandum was made on the three bids?

A. I said I thought the three bids were just settled that way; there was nothing in it, for it was drawn for any way.

Q. The minutes or record of the proceedings of the Board says that all the bids for produce were rejected?

A. It seems, according to that minute, that they were all rejected.

Q. And that you were appointed to buy?

A. Let me see.

Mr. Fields:

Q. Who bids against Stout for groceries?

A. Seven or eight commission men: Schnull & Krag, A. B. Gates, H. H. Lee, Arthur Jordan, Budd, and others.

Mr. Hays:

Q. The estimates of the Superintendent, or the Storekeeper, were usually made out as to amounts more or less, were they not?

A. Yes, sir.

Q. Not limited to the amount of the bid?

A. No, sir.

Q. Your attention has been called to one occasion when a change was made in the Storekeeper or Superintendent's estimate for the amount of eggs.

A. Yes, sir.

Q. Had you any reason for making a change in the estimate in other things?

A. Yes; we cut sometime last year, where they had a large requisition for blankets; we cut it down less than half; and a

requisition for clothing, we cut down largely, because we felt that it was possible to get along without it.

Q. In making your estimates of things of that character, for clothing and blankets, was it not the understanding that the estimates and the bids were to correspond? That is, exactly, or nearly so?

A. Yes, sir.

Q. Have you any recollection of there ever being a change in the estimate for produce and provisions?

A. Sometimes; I remember when Dr. Fletcher had a pretty large quantity of mince-meat estimated, and we cut it down largely. We frequently did that.

Mr. Fields:

Q. Do you know the firm of George W. Stout?

A. Yes, sir.

Q. And Schnull & Krag?

A. Yes, sir. Well, I know there is such a house here.

Q. You know that you deal with both houses to some extent?

A. Yes, sir.

Q. I see a contract written "accepted" on the back; whose handwriting is that?

A. That is mine.

Q. Here is one with "rejected" on the back; whose writing is that?

A. I think that is Mr. Burrell's.

Q. You see in the item there of tea, in this bid of Stout's, it is written in ink and is \$120. You see some figures at the side in pencil adding thirty dollars to that amount. Do you know who wrote that figure thirty?

A. I do not know whose figures they are now; they look a little like my own, but I would not say they are.

Q. I will ask you if that did not raise the bid on tea thirty dollars in one of those contracts?

A. Yes, sir, that does raise it from twenty-four cents to thirty.

Q. I will ask you if the footing is not run out, making it \$150 instead of \$120, in pencil?

A. Yes, sir, it is. I do not know anything about it; do not understand the figuring.

Q. What was the amount of the bill as made out?

A. One thousand eight hundred and sixty-five dollars and forty cents.

Q. How much added in pencil?

A. There has been \$18 added to it, which makes it read \$1,895.40.

Q. And what was the other bid?

A. \$1,880.

Q. Here is a bid of Stout's, as made out; and this is a bill of Schnull & Krag, which is \$15 more. Stout's \$15 less than Schnull & Krag?

A. Yes. I do not understand.

Q. Was not Schnull & Krag's accepted, at \$15 dollars more than the other one in your own handwriting?

A. Yes, according to this it is.

Q. You say those figures look like your handwriting; state whether they are?

A. I cannot say.

Q. If they are, can you give any reason why that was done?

A. I can not now; there is some reason for it; there is some deficiency that made that difference.

Q. Figure that up and see if the amount is footed properly?

A. I can not do it right now; but I do not understand; this is March, is it not?

Q. Yes, sir. Then the bill of Schnull & Krag was \$15 more than the bid of Stout; that is, if these footings are correct?

A. It seems as though, now, it is.

Q. Is not Geo. W. Stout a reliable dealer?

A. Yes; and I will say more; he was a favorite dealer, and was reliable, and we were glad when he got a bid. He always furnished good goods. There is some mistake about this bid. I do not know Schnull & Krag, but I do know Mr. Stout, and this has not been done for any purpose of taking the bid from him. It is a mistake of some kind.

Mr. Henry:

Q. Doctor, when was the last payment made on bills?

A. In the fore part of this month, the 7th, I believe. It ought to have been made when the allowance was made.

Q. The book-keeper furnishes us a statement of the balance unpaid on the 1st of February. That was before the allowance?

A. Yes, before the allowance of February.

Q. What time in February did you make your allowance?

A. The first Tuesday after the first Monday.

Q. The statement of the book-keeper is that the balance due on the bills allowed is \$17,694.98. Just look at that statement and see if you think it is correct as taken from the books. And as I understand it, that is bills allowed remaining unpaid. Well, I will not ask you to look over that now; but it is the amount stated by the book-keeper, from the books, is it not?

A. I do not know; of course, unless I could reach the books I could not tell; I do not know whether this is correct or not. This is the amount the book-keepers make out.

Q. Now Doctor, do you know of Mr. Gapen being a defaulter of three thousand dollars in bank?

A. No, sir.

Q. Do you know there is a dispute about three thousand dollars, which he claims is in the bank, and which the bank claims is not there?

A. Yes, sir.

Q. Is he able to furnish that money to the Board?

A. I do not know.

Q. Has he furnished it?

A. He has not.

Q. Are not the bills allowed and unpaid, and that money still not used for that purpose?

A. Yes, I think so.

Q. He has never made it good for the use of the Board?

A. Some of the claimants say they have not been paid.

Q. You are the President of the Board; is it not your duty to see if there has been a warrant drawn upon the Treasurer, and whether the bills are paid or not?

A. These bills are recently allowed, and I do know whether they are paid or not.

Q. I ask you in reference to the money that ought to be on hand. Do not the books show that there is three thousand dollars in the hands of your Treasurer, unapplied to the debts of the Institution?

A. Our books do not show that, because there is no means of the book-keeper's arriving at it now.

Q. Mr. Gapen is your Treasurer?

A. Yes, sir.

Q. Has he any money, according to his bank book, or the books of the Institution, in his hands?

A. I have never looked at this bank book to see what balances there were unpaid.

Q. Do you not know that there is three thousand dollars he is unable to use?

A. Yes, sir; that the bank claims, and have taken out of the amount of his deposit.

Q. Are you able to use that money?

A. No.

Q. Why?

A. Because the bank won't pay it.

Q. They claim it is not there?

A. Yes, they claim it is not there for that purpose.

Q. You can not use the money?

A. No.

Q. Mr. Gapen has not made it good?

A. No, not that I know of.

Q. Is it not your business to know it?

A. No, I do not think it is.

Q. Did you not help elect him?

A. Yes, but the law does not require me to follow up his bank account.

Q. So you do not think it is your duty as a Trustee to examine his account and see whether he has any money or not?

A. Any examination I would make, would not change the result. He has brought suit to recover it from the bank, and the courts will have to decide it.

Q. Don't you know that there is three thousand dollars in his hands, which he does not furnish, for the purpose of paying those claims?

A. Yes, sir.

Q. He is a defaulter to that extent, is he not?

A. You might call it that, yes.

Q. What stock have you at the Insane Hospital?

A. We have no hogs, and we have no cows; we have horses.

Q. How many?

A. I think about eight. I think there is probably three pairs of mules. In all I think about 14 head.

Q. How many acres of ground have you under cultivation?

A. I think 40 or 50 acres; I think it is 48 acres.

Q. What do you raise there on that ground?

Q. Cabbage, parsnips, onions, radishes, lettuce and most everything raised in a garden.

Q. Do you use the help you have in the Institution for the purpose of gardening?

A. Some of it; there are some patients who can work very well. We use all we can.

Q. Do you sell any products?

A. Not of the garden or farm.

Q. Do you have hogs in the summer, or any part of the year?

A. No; I do not think we have had any for three years.

Q. What do you do with your slops?

A. We sell them. A man pays monthly for the slops, and that is turned over to the Treasurer. It is called "earnings of the Hospital."

Q. Was there much demand for the raising of the salaries of the different officers and employes of the Institution?

A. Yes, sir; you would think so if you were a Trustee. Except when we make a rule that there shall be no raises in a given time, there is no method of ascertaining the number of requests made.

Q. What are you governed by in the raising of salaries; just observation and the recommendation of the officers?

A. The recommendation of the Superintendent has a good deal to do with it, and long experience and good behavior, when there is nothing against them. We have this rule—an attendant goes in there at \$20. If they stay two years, and there is nothing against their record, we put two dollars on. We do this in order to encourage them to do their duty, and to familiarize themselves with the wards, etc. Where they go in at \$18, we put two dollars to their wages, and sometimes three.

Q. Have you increased the wages of any employes this year?

A. I think we have. I think we increased the pay of the druggist \$5 a month and his assistant \$2.50, the carpenter \$5, one of the night watches \$5. One of the female night watches had been getting only \$20; she had been there three years and we raised her wages.

Q. You raised the wages of the Steward about the first of January?

A. No, sir, I do not think we did. That is Mr. Swartling. I am very certain we did not. There were a great many applications, but I believe that is all that were raised.

Q. How many private secretaries has the Superintendent?

A. Well he has one—no private secretary. He has a book-keeper who keeps that book you have there, and whatever correspondence that is necessary, that he can do. He has a typewriter and helps the doctor in his correspondence. There is a heavy correspondence out there.

Q. Did he not have a young lady, a Miss Ella Price?

A. Yes, she was his secretary for a while.

Q. So, he had this gentleman and the lady for private secretaries?

A. The old secretary left, and then he got a man named Caldwell. He only staid two months. He then put Miss Price at that work; but she only worked about twenty days in one month; hence, the man they have now, and her name, both appear.

Q. Is she a relation of the Superintendent?

A. By marriage, I think, a niece.

Q. She has been there all the time?

A. Yes, sir.

Q. Did you not create an office there for her?

A. No.

Q. Did you not have an office of Assistant Housekeeper?

A. Yes, Dr. Fletcher had one.

Q. Was it abolished when Dr. Fletcher left?

A. No, it was not abolished, there was nothing said about it. Nobody filled it.

Q. Did you not create the office when Miss Price was elected to fill it?

A. I can not say, the minutes will show; if we did not, we ought to have done so, for there is a great deal of work there.

Q. Who is the Housekeeper?

A. Mrs. Galbraith.

Q. The Superintendent's wife?

A. Yes.

Q. On whose recommendation did you create that office?

A. They always had it.

- Q. How many relatives has he there?
 A. His wife, his wife's sister, and Miss Price.
 Q. What is the salary of the Housekeeper?
 A. Fifty dollars a month.
 Q. And she also receives her board?
 A. Yes, sir.
 Q. And the Assistant?
 A. Twenty dollars.
 Q. And she receives her board?
 A. Yes, sir.
 Q. And the Superintendent?
 A. \$2,000 a year.
 Q. That is the highest salary the law allows?
 A. Yes, and it ought to be twice that.
 Q. He receives his board there?
 A. Yes.
 Q. And for his family?
 A. Yes.
 Q. I asked you a moment ago what relatives the Superintendent had there; have you named all of them?
 A. Yes, sir.
 Q. Has he not an aunt there?
 A. He has a sister-in-law there, but she is in the ironing room. He has no aunt there that I know of.
 Q. No other relatives?
 A. If there are I do not know it.
 Dr. Harrison was excused, subject to the further call of the committee.

FRIDAY AFTERNOON, March 1, 1889.

Testimony of Mr. B. H. Burrell.

Mr. Burrell being duly sworn, took the stand and testified as follows:

Examined by Mr. Henry.

- Q. State your full name?
 A. Bartholomew H. Burrell?
 Q. Where do you reside?
 A. Brownstown, Jackson County, Indiana.
 Q. When were you elected a member of this Board?
 A. In 1885.

Q. Where have you staid since that time?

A. At Brownstown.

Q. What has been your business?

A. I am a lawyer.

Q. What position on the Board do you occupy?

A. When I reported and presented my credentials I was elected Secretary, and have occupied that position ever since, except during the time Mr. Gapen was absent in Arkansas, when I also filled the position of Treasurer, temporarily.

Q. When was that?

A. I can not give the date exactly, but I think in 1887, maybe 1886.

Q. Did you give a bond when you qualified?

A. Yes, I gave a bond of two thousand dollars, and if I remember right, James H. Findlay and John B. Burrell are my bondsmen. They reside in Brownstown, Jackson County.

Q. They are solvent are they?

A. Yes, sir; I think they are.

Q. State to the Committee if you have visited the Insane Hospital frequently; and if so, how often.

A. From the time I was elected, up to the present time, of the business meetings I think I have missed three. One time my daughter was sick, and I do not now call to mind why I missed the other two. I think two of them were purchasing meetings and the other was a business meeting at the close of the year, when we audited and allowed our accounts. Besides that I have been at the Hospital very frequently, say on an average of, I think I am safe in saying, four days a month during the time.

Q. You kept the minutes?

A. Yes, sir

Q. What has been your relation to the other members of the Board during that time?

A. So far as I know, friendly.

Q. How long have you known John E. Sullivan?

A. I do not think I ever knew him until after I qualified. I think I first met him during the session of 1885. I first met Dr. Harrison and Mr. Gapen during that session.

Q. Did Sullivan assist you in your election?

A. If he did I never knew it.

Q. How did you happen to get acquainted with him?

A. I think it was during that campaign. Dr. Tarleton and myself and Dr. Pettit were candidates for the place.

Q. Whose cause did Sullivan espouse?

A. I cannot tell you.

Q. Did you become intimately acquainted with Sullivan afterwards?

A. No, sir.

Q. Did you ever have any business relations with him?

A. No, sir.

Q. Did you ever purchase from him?

A. No, sir, not personally. I never had any business transactions with him except in an official capacity.

Q. And did that extend outside of your capacity as a member of this Board?

A. Yes, we were sued in this county. I knew him then. I was a witness in the case in which Mr. Staley brought a suit against the Board, and he was then Clerk. At that time I knew him, but that was all. The only acquaintance I had with him grew out of my official transactions and my relations as Trustee.

Q. Did you visit his place of business frequently, or not?

A. I think I have been in his place of business once or twice, and then I went to see Mr. Gapen, and not Mr. Sullivan. I do not think I ever saw him at his poultry stand in my life. I saw him at the Clerk's office and met him on the street.

Q. Did you take any interest in his trial when he was under indictment?

A. No, sir.

Q. Was not a witness?

A. No, sir. I knew nothing about it.

Q. You knew he was under indictment in the United States Court?

A. I knew from the papers that he was indicted. I knew that as most everybody knew it.

Q. You also knew that Mr. Gapen was in his employ for the last year or so, did you not?

A. About a year ago now I knew that Mr. Gapen had taken employment with Mr. Sullivan. My first notice of it was by a letter from Mr. Hall, our Storekeeper; and when I came up to our meeting the matter was canvassed between Dr. Harrison and myself, and also Mr. Gapen was asked about it. I then

told him, as I understood the situation, if he was there interested in the contracts, or as a dealer or clerk in the interest of Mr. Sullivan, that I did not believe he ought to be there, and if he continued in the position we would have to refuse to contract with Mr. Sullivan. He then said to me and Dr. Harrison that he knew nothing about the contracts, knew nothing about the bids, and had no part or lot in fixing up our goods.

Q. What did he say were his duties?

A. I said to him: "Phil, you ought not to be there now under the circumstances." He said to me: "Burrell, I am needing money, and all I have to do is to draw his checks, answer his correspondence, draw his bills of lading, and that ends my relations with Mr. Sullivan." He then said he was getting \$25 a week for doing that work, and that he needed the money.

Q. Did you not think that was a remarkably large price for him to get for doing that small amount of work?

A. Yes, sir.

Q. Was not that suspicious?

A. Yes, sir. I told him I thought he ought not to accept that position under the circumstances, and I asked him if he thought he was worth that money to Sullivan, and if there was nothing else in it? And he said no.

Q. Were you remonstrating with him?

A. I believe we three were together; Gapen, Dr. Harrison and myself. Yes.

Q. Did you believe at that time that if he was employed there it was for the purpose of getting contracts?

A. Well, I believe this: That if I had been in Sullivan's employment, and Sullivan's interest had come up, I would have taken care of it in his situation. In other words, I believed John Sullivan had a friend on the Board. In order to keep down suspicion he would never, as I can now remember, from that time on, handle John Sullivan's bid. When we would open it he would always leave it for the Doctor, and to look over the bid.

Q. Did he always vote for John Sullivan?

A. Yes, sir; if there was any voting to be done; he would vote for Sullivan, if Sullivan was to be voted for.

Q. In these transactions, was Dr. Harrison especially friendly toward Sullivan?

A. Dr. Harrison remarked that, all things being equal, he

would vote for Sullivan. He remarked that once or twice. I remember one instance when we were at our table—we had three tables in room 25, the Insane Hospital one table, that had our bids all piled on it; the Blind Asylum another, and the Deaf and Dumb Asylum another—and all of the Trustees, I think from the Blind, were not present, they required Dr. Harrison's attention at that table to constitute a quorum. That left Phil and myself at our table, and so we commenced opening the bids. When we came to the bids for produce there was a tie, two bids were the same, and Dr. Harrison was called over to decide the question, as we had a right to call him. I was for Budd, and Phil was for Sullivan, and Dr. Harrison was called over; and when he made his vote he asked how we stood, and on being told he made use of that remark.

Q. Did you protest, or discuss that matter more than once before the Board?

A. It strikes me we talked the matter over on the purchasing day, besides the time referred to a while ago.

Mr. Burke:

Q. What was Gapen's salary with Sullivan?

A. \$25 a week, as it was reported to me.

Q. And you stated to him that if you were in his place you would not accept employment from Sullivan, or if you did you would resign your office?

A. Yes, sir, that he ought not to hold both places.

Q. Did you ever report that to the Governor?

A. No, sir.

Q. Or to any of the State officers?

A. No, sir.

Q. It was just an interchange of opinion between you and Gapen, as to a question of propriety?

A. Yes, sir.

Q. Did you ever state that to Dr. Harrison?

A. I think Dr. Harrison was present at the time. I think he participated in the conversation.

Q. During all this time Mr. Gapen was employed, and was upon the Board of Trustees, Sullivan was dealing with the institution?

A. Yes, sir. I believe there has not been a month since I have been a member of this Board, that Sullivan has not been a bidder. If he missed a month, I do not now remember it.

Q. Do you remember of any month when his bid was rejected?

A. Yes, sir. Because he was not the lowest bidder.

Q. Was there a month, during that time, that Gapen was on the Board and in his employment, that he did not sell the institution something?

A. I think there was; I think twice.

Q. Can you refer us to the month?

A. At one time Budd got the bid. I think it was January, 1889.

Q. The check was paid for what month?

A. That was for February.

Q. He did not bid then, did he; Sullivan was not here?

A. What day was that made?

Q. On the 25th day of January. He did not have time to bid?

A. Yes he did, and the contract was awarded to him. At the meeting in January, Mr. Sullivan and Mr. Jordan were bidders; I was not present, but I discovered that; and the contract was awarded to Mr. Sullivan. I came up here (that was the only meeting I was absent, Jan. 1889) the next day, on the day following, and discovered the situation of the concern; and at my request, the Bookkeeper and myself canceled the bid; and he went out and took bids, and it was let to Mr. Budd. Mr. Harrison's attention was called to it afterwards, and he ratified it.

Q. What day was this?

A. The 25th of January it was let. I was up here the last of January, before the delivery began.

Q. That was after Sullivan had gone away.

A. No; I think on that afternoon I saw Sullivan at the Grand Hotel; but that was after it was understood that he had made his assignment to Mr. Gapen. We called Gapen up by telephone, and notified him that we could not receive any goods from him, as Assignee of Mr. Sullivan; and that matter then was changed. Mr. Budd was called up and Mr. Jordan; or, at least I instructed the Bookkeeper to do that, and he returned a bid saying it was ratified by Dr. Harrison.

Mr. Henry:

Q. Did any bids come in from Sullivan, that did not have the prices attached to the bid?

A. I never discovered any bids of Sullivan's that did not have the prices affixed.

Q. Was there not one time when Sullivan and Jordan bid, and when the Board came to examine the bids they found that there were no figures carried out in Sullivan's bid; and for that reason the Board rejected all bids?

A. Yes, sir, there was, but I do not remember when it was.

Q. They rejected Sullivan's bid because there were no figures affixed?

A. Yes, and Dr. Harrison was appointed to purchase the goods.

Q. You rejected them all because Sullivan's did not have any figures affixed?

A. No, I do not know that.

Q. There is a record of this fact, that Dr. Harrison was appointed purchaser, and all the bids were rejected, and that month he awarded the contract to Budd?

A. I think it was done that way.

Mr. Burke:

Q. That authority was delegated to Dr. Harrison by the Board?

A. Yes, sir, he was authorized to make the purchase.

Q. Was that after he made the statement that, all things being equal, he would favor Sullivan?

A. I do not know that it was at that meeting; I will not be positive about that. It seems to me it was after that statement had been made, but I will not be positive. The record will show that Dr. Harrison was appointed as a committee to purchase produce.

Q. He was not required by the order of the Board of Trustees to take any bids?

A. Yes, he was to take the bids. If I was appointed a committee to buy any class of goods, I would go to you and some other gentlemen and see who could give the lowest bid.

Q. In a case of that kind you would make inquiry, but not require sealed bids. Then there would be nothing to prevent Dr. Harrison from going to Sullivan with the bids of other parties and letting the contract to him at the same price the others would furnish it.

A. As a matter of fact, we could do that easier; but I think in this instance the contracts of two or three of our regular

bidders were placed on file, and Mr. Budd's was the lowest. That is my recollection of it now.

Q. The record will show that, will it not?

A. No, but it will show it on the contract.

Q. It will show that you delegated the authority to Dr. Harrison to make the purchase?

A. Yes, sir.

Q. You do not know whether or not he followed the regular order. What reason have you to believe that he deviated from the custom; after the bids were rejected and he was authorized to purchase, what reason have you to believe that he changed the regular order of doing, and that he took bids and awarded to the lowest bidder?

A. All I know is that he was delegated to make the purchases, and that the record was made up that he would make the purchases.

Q. Who opened the bids at that time, when Sullivan's had no figures on it?

A. I think all three of us participated in the opening of the envelopes. When ten o'clock comes, if there are any bidders present they are requested to go out, and there remain in the room the Trustees of the three Institutions, the Superintendents and the bookkeepers. Then we sort the bids out; those for the Deaf and Dumb Institution go to one table, for the Blind to another. Then we get around the different tables, the Trustees of each Institution at their own table, and commence to open the bids.

Mr. Henry :

Q. Can anybody go in and take a bid and put it on that table?

A. Yes, sir.

Q. Is anybody in the room where these bids are left until the Board meets?

A. I can only answer that in this way: We have our bookkeeper there by half after 9 o'clock. It is his business to be there at that time. He takes our blank contract with him, so that if necessary he can supply them with the regular contract and with an envelope. They make out their bids and leave them with him, or bring them before we get there. We have the same kind of envelopes.

Q. Could it be possible for some one to take an envelope out, examine the bid, and take another envelope and put it back?

A. Yes; it is possible that if you took your bid in and laid it down, I might come along and pick up your envelope, if I knew it, take it out into the other room, open it and examine the bid, re-envelope it, and put it back. That is possible.

Q. That would be an especial advantage if you had a friend at court.

A. Yes, sir. I have never known or suspected anything of that kind.

Q. Was it a rule to require all the bids to be sealed?

A. Yes, sir, that is the rule. I think that is the advertisement, that we will receive sealed bids, and I do not know when a man has come in there with one not sealed.

Q. You have been there since 1885? Have you noticed any increase in the amount of Sullivan's bids?

A. Yes, sir.

Q. Did that, of itself, cause a suspicion in your mind of anything wrong?

A. I can not say that it did alone.

Q. That is, taking that into connection with the fact that he was under indictment in court, and that one of the Trustees was in his employment; taking all these together, was it sufficient to cause you to have any suspicion?

A. No, I will not say that it was. I noticed this one fact, however, that that class of goods were increasing on us, and before ending with one year—I believe in September, and may be in October—Dr. Galbraith had increased the list some.

Q. Did he do that every year?

A. I think not. I do not think Dr. Fletcher did it. My attention was called to that fact in this way: I have been visiting there closely, and noticed those people eat. They have plenty to eat of that class of goods; and having implicit faith in Mr. Hall's honesty, I could not for a moment think this man could get more goods in there or get pay for goods that were not received.

Q. Did you make inquiries of Mr. Hall whether there was anything of that kind going on?

A. I made inquiries as to how he was getting along with the contracts, yes, sir.

Q. Did you then call his attention to examining whether Sullivan had delivered his goods properly?

A. I do not think I did, as to Sullivan alone. Have asked him how the goods come up to the contract, and Mr. Hyde, who is his assistant, and they were able to show me when I made inquiry as to the bills and as to the weights—they buy according to our weights and our measurements—several instances where they had deducted out of a bill sent shortage in weight; and knowing that Mr. Hall is very watchful, I never thought there was a chance for any advantage being taken of us in that way.

Mr. Burke :

Q. Who makes your weights for you?

A. Mr. Hall and Mr. Hyde.

Q. They are employes?

A. Yes, sir.

Q. By whom are they employed?

A. They are appointed by the Superintendent and confirmed by the Board of Trustees. Mr. Hall was there when I went there, and Mr. Hyde was employed shortly after I went there, two years ago.

Q. How near did Gapen's employment with Sullivan, and Hyde's employment at the asylum come together?

A. About a year apart.

Mr. Henry :

Q. With the knowledge in your mind that Gapen was employed with Sullivan, together with the fact that his bills have increased from the time that Mr. Gapen went into his employment until they had reached the sum of \$2,800 a month; do these two circumstances taken together create any suspicion in your mind?

A. Yes, sir; to this extent: After he had gone into Mr. Sullivan's employ, I and Mr. Hall had a talk, in which I said to him that it would be necessary for him to be on his guard about the bills coming from that house, so that there might be no trick upon his part toward the hospital. I said this to Mr. Hall, and I think Mr. Hall will bear me out in the statement.

Mr. Burke :

Q. Where did Hyde come from?

A. He came from Indianapolis to us.

Q. Did you recommend him to the Superintendent?

A. I do not know who recommended him.

Q. He is under the impression that Phil. does not want him there. Did you recommend him?

A. No, sir.

Q. Did you vote for him?

A. Yes, sir.

Q. Did you make any inquiry as to his character and associations?

A. Yes, sir; I inquired of Mr. Hall, who said he knew him and would recommend him as being a good man.

Q. Did you inquire where his residence was?

A. Yes, sir; in that conversation.

Q. Where his business had been, prior to that time?

A. I did not; I do not think I voted for him blindly.

Q. I simply want the facts.

Q. My recollection is, that when Mr. Hyde came up for confirmation by the Board, he took the place of a fellow by the name of Roth. I had never met Hyde until after his appointment and before his confirmation. I met him in the store and was introduced to him, and since then I inquired of Hall who he was and where he came from, and was satisfied that Hall thought he was all right and the Superintendent had appointed him and recommended our confirmation, and I voted to confirm him.

Q. What was his business, prior to his appointment out there?

A. I think in a grocery or provision store in Indianapolis.

Q. Do you know whose?

A. No, sir.

Q. What I want to get at is this, in relation to the management of the institution. Here was a man, recommended to you for employment, upon whom, in the expenditure of the funds of the institution, you had to place a great deal of confidence, as to certifying to you the kind, quality and character of goods purchased for the use of the inmates of the institution; what I want to know is, in the discharge of your duties to the place, did you make inquiries as to the character and reputation of the man in the neighborhood in which he resided, and among the people with whom he came in contact, prior to his appointment?

A. The first I saw of Hyde, that I now remember, was when he was appointed by Dr. Fletcher, and when he came up for confirmation I made inquiry as to his qualifications, and I ascertained that he was a man to be relied on.

Q. What I want to know, is the extent of your inquiries?

A. That has been a little over two years ago. I talked to Hall.

Q. You said you spoke to Mr. Hall about him, and that you had spoken to no one else?

A. I did not say I had spoken to no one else. I think in that matter I asked Dr. Galbraith who he was.

Q. Did you go out into the community, to those who had employed him before, who were intimately acquainted with him, in the neighborhood in which he resided, to make any inquiries as to the qualifications of the man for the position, and his honesty in the discharge of his duties?

A. No, sir, I did not go into the city at all about the matter.

Q. You did not inquire outside of the institution did you?

A. I am not so certain about that. I think I inquired of some one at the State House. I think I had a conversation with John J. Cooper about him; I think I did, but I will not be positive.

Q. What was John J. Cooper doing at the State House then?

A. Well, I do not mean the State House, but Cooper was the man. It was over at the other building, across the way.

Q. Were his qualifications discussed at the meeting that confirmed him?

A. I think they were, yes sir.

Q. What was said about them?

A. I do not remember just what was said. I know that when the vote was taken he was confirmed.

Q. Well, how do you confirm these appointments, does the Superintendent notify you?

A. His report shows the appointment of a certain person to a certain position, and then our record shows the confirmation of it.

Q. And you do not remember of speaking to anybody outside of the Institution about this man's capabilities, but you have spoken to John J. Cooper about him, at the State House,

and you do not know what was said by the other Trustees as to the character and qualifications of the man for the position?

A. No, sir, but I do know that he is a very competent man.

Q. And it is the most important position out there, so far as the expenditures of the fund are concerned?

A. He is under Mr. Hall.

Q. Mr. Hall did not appoint him. I consider the Steward's position, or the man who receives the goods and takes the weights and measures, I consider that, so far as an efficient management of the Hospital is concerned, as a most important position. Does this man do that?

A. He is under Hall, yes.

Q. Did I understand you to say that the produce and receipts and vouchers were all tested by Hall and Hyde?

A. Yes.

Q. When one is not there the other attends to it?

A. They are both good men, but I cannot tell you who recommended him; if I ever knew I have forgotten it.

Mr. Henry:

Q. How long has Sullivan been furnishing produce for the Insane Hospital?

A. He has been a bidder ever since I have been on the Board.

Q. At one time there was a great deal of complaint against his butter, was there not?

A. I think there was. There has been complaint against all of them; I think, though, with reference to that racket they got into out there, the most of the complaint was against a man by the name of Krouse, at Union City.

Q. You have taken his butter but once?

A. I think we had the contract with him twice before we had that difficulty.

Q. Was there any complaint against Sullivan two or three years ago?

A. Yes, sir; and there is more or less complaint all the time. I think Mr. Hall will tell you that in several instances he has had to analyze the butter furnished by Sullivan and other contractors.

Q. Does it take any more butter now than it did then, three or four years ago?

A. I understand that it does, at least they get in about four thousand pounds every month. We make our contracts for about four thousand pounds, and I understand that the issues run over that, and they always start with some butter on hand.

Q. Was there much complaint in the last twelve months about butter?

A. Not that has come to my knowledge.

Q. Have you made inquiry with reference to that?

A. Yes, sir.

Q. Did he furnish more?

A. Yes, sir.

Q. Did his bills run up higher?

A. Yes, sir.

Q. I say his bills run larger—I do not say as to butter; you will find that the increase is more perceptible on chickens and eggs than on any other articles furnished by Sullivan. At that time the complaint was that his eggs were not good, and now it is that his bills are too high?

A. Two or three years ago we had complaints coming in, and when any complaint would come in as to the butter not being good, Dr. Fletcher would notify us in his monthly report. If there is any complaint about the produce after it is issued out to the wards, we have a rule that requires the parties who serve it to make report of it to Dr. Galbraith, and he makes a report of it to our monthly meeting.

Q. You can give your explanation of why the bill for produce in the month of December, 1888, was nearly a thousand dollars more than the bill for 1887?

A. I can make this explanation; I think, at least, it is the only one I can make to my own satisfaction: In December, 1888, the Christmas dinner was purchased from the regular contractor of that month, in which there was turkey and some extras, probably amounting to about four hundred dollars, and may be more. In 1887 that was not the case. Dr. Harrison and Mr. Gapen were appointed a committee to purchase the necessaries for the Christmas dinner; and, as I understand it, they were not taken from the then regular contractor. That is the only difference.

Mr. Hays:

Q. That would account for the difference in the bills for the month of December in those two years?

A. Yes, sir.

Q. How would you account for the fact that the bill for produce in January, 1889, was about \$1,100 more than January, 1888?

A. Well, the only way I can account for that is, that the butter account being about the same, it goes upon the other two articles of eggs and chickens. If you get the bills of those two months and compare them, you will see that there, really, is the difference, and that the butter account seems to run about the same.

Q. What made the difference between the two months of October and November, 1888, of one thousand dollars?

A. Well, it must be the increase in the price, and the quantity received.

Q. What was the increase in the price?

A. If I had the vouchers for that month, Sullivan's vouchers, I could tell you.

Q. He furnished the provisions?

A. Yes; butter, eggs, chickens and turkeys.

Q. Now it would not be the increase in the quantity, as much as the increase in the price, that would make that vast difference of a thousand dollars more in a month, would it?

A. I will have to answer that this way: It is the increase in the price and the increase in the quantity. We are using more chickens and eggs in the last year than in the year preceding.

Q. You bought correspondingly less of Sullivan?

A. Yes; that is the difference. If you will examine the above account you will find that it run down.

Q. Then that would equalize this, so far as the quantity is concerned?

A. Yes, in the summing up.

Q. And if anything increases the amount from \$1,700 to \$2,700, it would be the price; and if the general expenditures of the Institution were incidentally increased several thousand dollars a month, it would be owing to the rise in the price of the articles of consumption, because the consumption in the matter of quantity was about the same all the time?

A. No; in October last, Dr. Galbraith increased the diet list?

Q. On what?

A. On eggs and chickens.

Q. Well, did I not understand you to say that when he increases the diet list on one commodity, other commodities were correspondingly decreased?

A. Yes.

Q. And the effect of that would be to give the man who furnishes the one a larger bill, and the other a smaller bill; and that would make the general expenses of the Institution about the same as the prior month?

A. Yes, sir.

Q. So, if it cost ten thousand dollars to run the Institution one month and you expended five thousand dollars for produce and five thousand for beef; if your produce account increased to six thousand the next month, your beef account would go back and about equalize the expenditure or cost of maintaining the Institution?

A. I have not examined to be accurate, but my explanation is that the beef account runs down. I understand each patient has two eggs once a week, on Friday, but on that day they do not have the meat.

Q. You say the Superintendent increased the diet list; how does he do that? Don't he do it by requisition; does he increase the diet list and leave the requisition the same?

A. I will explain that matter as I understand it. We have at the hospital a plan of issues. When the doctor wants to increase the amount of food, instead of having the same amount issued now that was issued to them, he calls on the Superintendent to issue to his patients what he wants. That necessarily compels us to buy that much more, and when the next month comes around he increases the requisition in the same direction.

Q. Don't the requisition show that?

A. The requisition for the last four months on the articles of produce which Sullivan furnished is only about five hundred and a half dollars less than what was used and what Sullivan was paid for it. The amount used was less than the requisite amount for the month.

Q. The Superintendent made his requisition upon the Board, and there was a thousand dollars more goods paid for than he called for.

A. I will explain that this way: He calls for 4,000 pounds of butter, more or less. We take a contract to furnish that

butter at 20 cents. He has to furnish 4,000 pounds, or if we need 5,000 pounds he has to furnish it, and if we only need 3,000 pounds he has to furnish it; so that the requisition is but an indication to what is wanted—the kind of things—and we make a contract for more or less, and if we need more the contractor has to furnish it at that price.

Q. Is it not remarkable that you always need more when Sullivan is furnishing it; and is it not remarkable that he always furnished it?

A. That is a fact, and I do not propose to deny that he always furnished it; that is true; but to have the evidence of the book-keeper and the storekeeper that he furnished it, that the goods have been received and used.

Q. Then you do not know anything about this; that the goods have been received?

A. No, sir; not personally.

Q. The goods may have never been received?

A. Well, they might not; but that would require the Superintendent to be false, and the store-keeper and book-keeper, in order to make that proposition true.

Mr. Howard:

Q. Have you ever compared the bills with the issues for any given time; the bills and receipts with the issues of the store-keeper?

A. Yes, sir.

Q. How many times?

A. Well, I have frequently done this; when I would go out there I would go into the store and say: "Mr. Hall, how are you getting along; how about this order, I would like to see your issue book?" And he would show the pounds issued each day of each kind of goods to each "house-keeper," as we call them, and the pounds of meat turned over to Hunt, the butcher, to be sent to the house-keepers. That I have done frequently. I have taken the bills Sullivan rendered and looked over them, to see whether those goods have been issued to the kitchens, and I have found that they have been issued, except in several instance where Hall's weights were less than Sullivan's weights.

Q. Were those weights corrected?

A. Yes, sir.

Q. Are the payments made on the bills as corrected by the store-keeper?

A. Yes, sir.

Q. On comparing the corrected bills with the issues, what have you discovered?

A. I have discovered that they were issued out. There is no discrepancy between the issuing of goods in and the issuing of goods out, except where bills rendered by Sullivan and others were too much, and had been corrected by the store-keeper, Mr. Hall; and then, Mr. Hall's book of issues shows that these goods have been sent to the kitchens, on the requisitions of the Superintendent, for dinner, supper, breakfast, etc.

Q. You have not found any discrepancy between the corrected bill and the issues as shown on the issue books?

A. No, sir.

Q. Have you ever considered that question, as to the issues made on the storekeeper, by the issues? In what manner do the cooks make their requisitions?

A. Say for the officers' kitchen, department for females; the housekeeper makes out her requisition every day, for what she wants that day. These things are sent to the officers' kitchen, and Mr. Hyde charges the requisition to the officers' kitchen for the department for females. Then the housekeeper of the general kitchen for females makes her requisition for what she wants for the day, and that is sent over.

Q. Have you ever made any examination, as to whether these requisitions by the cooks or housekeepers have been in excess of the needs of the different kitchens?

A. I have made this kind of investigation; that in accordance with the requirements, the goods were sent; but as to whether or not they could have gotten along with less, I can not answer.

Q. Has the Board ever considered the matter, as to whether rations were excessive?

A. At one time, Dr. Fletcher started out by using the army regulations; after using them for a short time he concluded that the patients were not getting what they ought to have a day; so, thereafter, he had his own bill of fare for supper, breakfast and dinner for the patients.

Q. So those rations then, on this month, were not weighed and measured?

A. I understand that every pound of everything is weighed at—

Q. You do not understand me. Is the amount of the ration to each individual inmate and employe fixed; or is it left for the house keeper or cook to determine how much each one wants?

A. The estimate is made upon so much to each patient, as I understand it.

Q. Is that done?

A. That is my understanding.

Q. Do you understand that the cook says: "For to-morrow we will need about so much?" and that is not an exact ration?

A. My understanding is that in getting at the amount to go to the kitchen, they take into consideration so much for each patient, of butter, so of potatoes, so much of tea and coffee.

Q. But I do not understand that this matter has been investigated very closely by the board, as to whether the proper amount of food is called for, and if there is any limitation placed on the housekeepers?

A. I will say that the Superintendent is the one who fixes that; and we have never, in any way, curtailed him in any of his requisitions of that kind.

Q. Have you ever examined the kitchens, as to whether excessive quantities of produce were used?

A. I make it a point to go into each kitchen every day I am there. I go down in Mrs. Allen's kitchen, and I want to know how about this breakfast, and she tells me. I want to know how about the slops, to see if it is increasing or decreasing, and in that way I can tell for that time about what is consumed.

Q. Have you found any waste in the provisions?

A. No, sir.

Witness excused for the present.

Committee held session for consultation.

Senator Howard moved that rule nine of the order of business be amended as follows, by striking out the following words: "And the Trustees and officers of the Institution, and their counsel, if they desire any."

This motion was adopted.

Mr. Conn moved that the committee meet at 9 o'clock Saturday morning to examine Mr. Kopp, cashier of the Meridian National Bank.

Which motion was carried.

Senator Hays moved that Mr. Roth, former Assistant Storekeeper at the Asylum, be summoned to appear at 9 o'clock Saturday morning.

Carried.

Committee then adjourned until 9 A. M. Saturday.

SATURDAY MORNING, March 2, 1889.

Committee met at 10 A. M.

Present:

Messrs. Conn, Hays, Howard, Brown, Henry and Fields.

Mr. Albert F. Kopp, being duly sworn, testified as follows:

Examined by Senator Hays:

Q. State your name?

A. Albert F. Kopp.

Q. Occupation?

A. Cashier of the Meridian National Bank of this city.

Q. How long have you been employed there?

A. About sixteen years.

Q. Are you acquainted with Mr. Gapen, Treasurer of the Insane Hospital?

A. I am, yes, sir.

Q. Has he kept the funds of the Institution in your bank?

A. Yes, sir.

Q. How long?

A. Probably six years, with one exception; one month we did not get the funds.

Q. Have you recently made any examination of his account as Treasurer?

A. Yes, sir.

Q. What is the condition of the account now?

A. It is balanced.

Q. He has no money in the bank to the credit of the Asylum?

A. No, sir.

Q. Is there an indebtedness to the Hospital by the bank on account?

A. There is a discrepancy.

Q. I am referring to the condition of his account as Treasurer?

A. It is balanced at present.

Q. I understand you to say there is no indebtedness so far as the Treasurer's account is concerned?

A. The Treasurer's account is balanced.

Q. You referred to some discrepancy between the bank and Mr. Gapen?

A. On the 21st of January, Mr. Gapen deposited to the Treasurer's account a check, or a draft on New York, for \$4,700. This draft came back protested. That was just the day before Sullivan made his assignment.

Q. It came back the day before Sullivan made his assignment, or was deposited that day?

A. It came back the day before his assignment. I called up Sullivan's store and asked for Mr. Gapen, by telephone. I do not know who was at the telephone, but I was told to return the check to New York and that it would be honored.

Q. What was the date of the deposit of the check?

A. January 21.

Q. That was a check drawn by Mr. Sullivan upon Mr. Gapen?

A. No, sir; of Mr. Gapen on the New York bank.

Q. Was it payable to Mr. Gapen as Treasurer, or individually?

A. Payable to P. M. Gapen.

Q. He actually drew the check on the bank and deposited it?

A. Here is the deposit ticket in Mr. Gapen's own handwriting.

Q. That is the deposit ticket made out by Mr. Gapen?

A. Yes, sir, with the exception of the amount; that is my writing.

Q. Please read it?

A. "Meridian National Bank. Indianapolis, January 21, 1889. Deposit of P. M. Gapen, Treasurer, \$4,700.00."

Q. State where that was prepared, if you know?

A. I cannot tell that. I know the deposit check was handed to me, and I put in the amount.

Q. Did you see it done—the preparation of the check?

A. No, sir.

Q. Are you familiar with Mr. Gapen's handwriting?

A. Yes, sir.

Q. In whose writing is the word "January," the figures "21" and "9," and "P. M. Gapen, Treasurer"?

A. Mr. Gapen's.

Q. In whose figures is the "\$4,700.00"?

A. My figures.

Q. What accompanied that check when it came to your possession?

A. That very draft.

Q. Do you know anything, of your own personal knowledge, as to who brought that check to your bank?

A. I think it was Mr. Gapen.

Q. Was any money collected upon the check by the bank?

A. Yes, sir.

Q. How much?

A. Some sixteen hundred dollars.

Q. What was done with that money?

A. On Tuesday Mr. Gapen came to the bank and wanted us to telegraph to collect whatever was to the credit of the account and deliver the check. Was this after you had been notified by telephone to return the check, and that it was all right?

A. Yes, sir; it was the next day. We telegraphed to the bank to deposit enough to make the account good, in order to get what was there. No bank will make any part payment on a check.

Q. You received that?

A. Yes, sir.

Q. Now, at the time the deposit check was handed to you, and the draft on New York, was Mr. Gapen's account as Treasurer credited with that amount?

A. Yes, sir.

Q. What change was made in that credit afterwards, if any?

A. We had to advance \$3,043.66, and that was charged to Mr. Gapen's Treasurer account.

Q. You said there was no indebtedness between the bank and Mr. Gapen, as Treasurer, and that the account was balanced. Has he an account with the bank individually?

A. He has not had any in four years.

Q. State whether or not the bank has refused payment of any checks drawn by Mr. Gapen against his account as Treasurer?

A. Yes, sir.

Q. Do you know on what amount they have refused payment?

A. I can not state exactly.

Q. Why was that payment refused?

A. Because there was no funds to his credit, as Treasurer, in the bank.

Q. You spoke of Gapen having deposited with your bank every month but one; what month was that?

A. I can not tell.

Q. How long since?

A. It must have been two years ago.

Q. Since that time, has there been a deposit made each month?

A. Yes, sir.

Q. How was that made; in currency, or checks, or drafts?

A. Currency. The main deposit was always made in currency.

Q. What time in the month was the main deposit usually made?

A. Between the 5th, and 10th or 12th.

Q. What was the amount of that deposit, usually?

A. From \$18,000 to \$26,000 or \$27,000 probably.

Q. Coming back to this question of the New York draft, is there any litigation between Gapen and the bank?

A. Yes, sir.

Q. In his capacity as Treasurer, or an individual suit?

A. It is as Treasurer.

Q. What does Mr. Gapen claim against the bank, and why?

A. He claims we have no right to charge him with that shortage on the \$4,700 check; at the same time, the money went to his credit in order to take care of his check.

Q. How frequently has the bank had transactions of that character with Mr. Gapen in the last year?

A. Very frequently.

Mr. Brown:

Q. He deposited a check with you, for \$4,700, drawn on New York; you sent it there and it came back protested. Was

there any money on deposit there for Gapen when the draft reached there?

A. About \$1,670. When the draft was protested in the first place, we did not know how much was there.

Q. I want to ask the reason why it was protested; was it because there was no money there, or not enough?

A. I can not tell.

Q. You found out that he did have some funds there?

A. When the check went back the second time there was \$1,600 credit.

Q. Did they apply that on the check?

A. Yes, sir, and we advanced the difference, or balance of the amount, to get the check.

Mr. Howard:

Q. You have charged Mr. Gapen with that amount of money advanced to make the check good?

A. Yes, sir.

Q. And it is the last sum that is in litigation between the bank and Mr. Gapen as Treasurer?

A. Yes, sir.

Q. Did it, on other occasions, become necessary for you to advance money in order to protect Gapen's drafts?

A. No, sir.

Q. This is the only occasion?

A. This was the only one.

Q. You did say that you had on frequent occasions taken drafts drawn by Mr. Sullivan on Gapen, and by him endorsed, and credited them to the expense account as Treasurer, and forwarded the checks to New York for collection?

A. Yes, sir.

Q. What was the usual time required, from the time the check was deposited, until you received the returns?

A. It takes from four to six days.

Q. How frequently was that done; the deposit of check of Gapen drawn by Sullivan upon him?

A. Probably two or three times a month.

Q. For what amounts?

A. From five hundred to two thousand dollars.

Q. Who usually brought these checks to the bank?

A. Mr. Gapen, very frequently; Mr. Sullivan made some deposits for Mr. Gapen, as Treasurer.

Q. Did Sullivan ever deposit any money to Gapen's account, in currency?

A. No, sir.

Q. The deposits were always made by drafts on New York; what advantage would that give to Gapen in his business transactions?

A. I can not see any advantage, only he loaned out money to Sullivan, and afterwards got check on New York in payment of it.

Q. What advantage would it give to Sullivan in his transactions to have business done in that way?

A. He probably had the use of the money for a week or more.

Q. During the time the check was sent and the money returned, you advanced the money before the check was drawn?

A. Yes, sir.

Q. I will call your attention to a check, what is the number of it?

A. No. 91.

Q. What is the amount?

A. \$2,371.06.

Q. Date?

A. February 7, 1889.

Q. Signed how?

A. P. M. Gapen, Treasurer.

Q. Payable to whom?

A. To the order of J. E. Sullivan, for \$2,371.06.

Q. Did that check pass through your bank?

A. No, sir.

Q. Did you ever have any knowledge of it, except as it is shown to you? Do you know anything about it?

A. I have seen the check, when Mr. Gapen made his last deposit, on February 9, of \$21,545.60. That went to Mr. Gapen's credit, but he had \$371.06 more, which I paid to him.

Q. Now, that \$371.06; was that in currency?

A. It was all currency, the whole deposit of \$21,545.60, and the \$371.06 additional.

Q. He deposited \$21,545.60 in currency?

A. Yes, sir.

Q. And he also deposited \$371.06 in addition to that?

A. He brought in \$21,545.60 and \$371.06 additional. The \$21,545.60 he deposited, and the \$371.06, I gave back to him.

Q. How did the money go to you and then go back to him; was there any minute of it made in the bank?

A. I do not remember whether I put it on a slip or not.

Q. Did it go to his account?

A. No, sir.

Q. Then it never went into the bank at all as a bank transaction?

A. No, sir.

Q. You simply counted him back that much?

A. Yes, sir. I only saw the check at the time; it never came into our possession.

Q. Was this check connected with this order here at that time? Was that order cashed?

A. No, sir.

Q. Did you ever see that order before?

A. No, sir.

Mr. Hays:

Q. Do you understand that Mr. Gapen was keeping that \$371.06 out for himself, or for Mr. Sullivan?

A. I do not know about that.

Q. This check is for \$2,271.06; do you know why he showed you this check at the time?

A. He did not show it to me, I saw it; it was with some other checks which he had drawn at that time.

Q. I will call your attention to check No. 129; state the date of that check?

A. March 8th, 1888.

Q. Give the amount, to whom payable, and by whom signed?

A. Amount, \$5,906.84; payable to W. G. Wasson, signed by P. M. Gapen, Treasurer.

Q. Did that check pass through your bank, or was it paid by your bank?

A. No, sir; our canceling machine is a little more even than this.

Q. State whether that check was canceled at your bank?

A. No, sir.

Q. Would a check of that kind be paid without the endorsement of the payee?

A. Not very likely. I do not find any check of that amount charged to his account.

Q. Have you any knowledge of that check, in any way as Cashier?

A. No, sir.

G. Have you any knowledge of Mr. Wasson's getting any money of the bank on Mr. Gapen's order?

A. Yes, sir.

Q. When was that?

A. In January we advanced him about \$800.00, I think.

Q. What year?

A. This year, 1889.

Q. Was that the first time you had advanced any money to Wasson on Gapen's order?

A. No, sir.

Q. When had you done that before?

A. About three or four days.

Q. Had this check 129 anything to do with any of those transactions?

A. No, sir.

Q. How were those advancements paid?

A. Mr. Gapen left a check with us and took up the order.

Q. What was the largest amount advanced to Mr. Wasson at any one time?

A. I believe the highest was two thousand or twenty-five hundred dollars.

Q. Have you anything by which you can fix the date of those transactions?

A. I can look that up at the bank on the books.

Mr. Howard:

Q. I understand these payments were made on orders, and not on checks; and afterwards a check was deposited and the check was taken up?

A. There was a note given by the parties, and the order attached to the note. After the check came into our possession we delivered the order.

Q. Then the checks are among checks that were passed upon the bank to cover these orders?

Q. This \$800 and sums as high as \$2,500 paid out on orders and notes, were afterwards covered by checks, and the notes and orders taken up?

A. Yes, sir.

Q. If I understand you right, the bank sometimes loaned Mr. Wasson so much money, and took an order from Gapen as security for the note, and when Gapen drew his check in favor of Wasson to the amount of the note, it was left at the bank, and the note and the order were taken up?

A. Yes, sir.

Q. Why was the note made?

A. I suppose because he needed the money; I do not know anything about that.

Q. Was there any arrangement with Gapen, as Treasurer, for him to draw checks and the bank pay them in advance, and hold the check until he got his monthly allowance?

A. No, sir; with one exception.

Q. When was that done?

A. I do not remember the time. I know Dr. Harrison got a check out one day. It was not paid until about a month after that.

Q. Did he get the check from the Treasurer, for so much money?

A. Yes, sir.

Q. And did the bank cash the check?

A. I think so.

Q. There was no balance due in the bank to the credit of the Treasurer?

A. No, sir.

Q. Then the account was overdrawn to that extent at that time?

A. Yes, sir.

Q. Has the Treasurer's account ever been overdrawn before?

A. Yes, sir; it has.

Q. I wish you would tell us how often?

A. It was overdrawn five times in the last two years.

Q. To what amounts?

A. February 23, 1888.....	\$656 29
February 29, 1888.....	131 42
March 27, 1888.....	7 09
May 21, 1888.....	69 87
June 30, 1888.....	210 80

Q. Are the checks in your bank canceled with a regular canceling stamp, always?

A. Yes, sir.

Q. What kind of a stamp is it?

A. It is a machine like a letter press.

Q. I will call your attention again to check No. 129; please examine the cancellation mark?

A. It has never been canceled in the Meridian National bank.

Q. State whether or not, in your judgment, it has been canceled by a stamp?

A. No, sir.

Q. Is there any difference in the width of the cuts?

A. A slight difference; some are about twice as large as the others.

Q. Are you familiar with the canceling stamps of the banks in this city?

A. No, sir.

Q. You have seen checks that were canceled by most of the banks?

A. No, sir, we never get to see them.

Q. You are positive, however, that this check was not canceled at your bank?

A. I am positive of that.

Q. Now, I want to call your attention to check No. 100, dated February 9, 1888.

A. That is a check payable to J. E. Sullivan, and signed by P. M. Gapen, Treasurer.

Q. I wish you would examine Mr. Gapen's account on that date, and see whether that was charged to him or not.

A. There is \$1,277.64 charged to him on the 10th of February.

Q. Is it charged to his account?

A. Yes, sir.

Q. Is that canceled by your bank?

A. Yes, sir.

Q. When did you say this was paid?

A. On the 10th of February, 1888.

Q. How are Mr. Gapen's checks usually drawn, as to the time they are to be paid?

A. Generally ten days after date.

Q. Was there any exception made in that, except in the case of Mr. Sullivan?

A. Yes, sir.

Q. In what other cases?

A. The checks for the pay-roll are payable on demand.

Q. Were checks for the pay roll made payable directly to the employes, or to the Superintendent?

A. To the Superintendent.

Q. Did the Superintendent draw the full amount on the check?

A. He would draw all of the money, for a while; but later they gave checks.

Q. Did Dr. Galbraith have his account with your bank, as Superintendent?

A. Yes, sir.

Q. When a check was drawn by the Treasurer in favor of the Superintendent for the pay-roll, was the money transferred to Galbraith's account?

A. Yes, sir.

Q. And how paid out?

A. By checks.

Q. Since he has been Superintendent?

A. Yes, sir.

Mr. Brown:

Q. Have you a personal recollection as to who presented this check for payment?

A. No, sir.

Q. Do you know when Mr. Sullivan left the city?

A. No, sir.

Mr. Hays:

Q. Do you know Mr. Sullivan's writing?

A. Yes, sir.

Q. Please examine the endorsement on the back.

A. It looks like his writing. It was drawn and was paid in February, 1888.

Q. Here is a check for \$225, No. 68; what is the date of that check?

A. January 5, 1888.

Q. To whom payable?

A. Thomas H. Harrison.

Q. Endorsed by Mr. Harrison?

A. Endorsed by Dr. Harrison.

Q. Please refer to your account and see when that was paid?

A. Here is clearing house notice to Fletcher's Bank, paid January 9th, 1888; and here he is charged, January 9th, 1888, \$225.00.

Q. I wish you would turn to Gapen's account as Treasurer, for the month of March, 1888; on what day did he deposit his money that month?

A. On March 12th.

Q. How much?

A. \$22,291.66.

Q. What was the condition of his account before he deposited that amount?

A. It was overdrawn \$131.42.

Q. Please give the checks drawn and paid before that date, commencing with the first of March and running down to the 12th, paid in advance.

A. There was only one; that was March 9th, \$32.30.

Q. Please give the amounts of checks paid during the month of March; please call them off by the items.

A. They are as follows: \$48.60, \$222.00, \$221.00, \$6,849.21, \$276.47, \$270.30, \$150.00, \$1,863.74, \$59.05, \$172.80, \$183.57, \$5.80, \$476.43, \$19.87, \$97.47, \$2,927.27, \$1,026.75, \$12.50, \$199.75, \$3.20, \$1,281.68, \$110.75, \$81.50, \$431.81, \$14.65, \$81.50, \$537.70, \$132.02, \$17.75, \$3,406.84, \$29.80, \$20.00, \$78.00, \$2,500.00, \$55.25, \$20.00.

Q. What other deposit did he make for that month after the first deposit on the date of March 12th?

A. On the 20th of March..... \$600 00

On the 22d of March..... 500 00

On the 26th of March..... 650.00

Q. Now what was the condition of his account?

A. It left an overdraft of \$7.09.

Q. That shows that the check to Mr. Wasson for \$5,906.84 was not paid out of that month.

A. It never came into the bank.

Q. I will call your attention to his bank book; commencing with the month of March, 1888, and running through to this time, I will ask you to state whether or not he has ever been charged up on the bank account with this check for \$5,906.84?

A. It has not been charged.

Q. Do all of the moneys that have been checked out by Mr. Gapen as Treasurer to Mr. Wasson, where the checks have been paid by the bank, appear as charged to him on that account?

A. Yes, sir.

Mr. Henry:

Q. How long has Mr. Gapen been transacting business with your bank, as Treasurer of the Institution?

A. About six years, I think.

Q. How often did he make deposits in your bank as Treasurer?

A. That varied from one to probably five or six times a month.

Q. I mean at first assuming the office of Treasurer?

A. He made one deposit.

Q. In what part of the month?

A. Between the 5th and the 10th or 12th.

Q. What was his custom when he made deposit between the 5th and 10th and 12th when he first commenced depositing with you? What was his custom about checking it out? How long after the deposit was made would it be checked out?

A. I think they were always dated ten days after date.

Q. What time did the checks usually come to the bank? about the time they were due?

A. Yes, sir.

Q. Was that the method of business he adopted when he first commenced doing business with the bank?

A. I think so.

Q. Was there any change after that, by which he gave checks during the month, of a different date than the whole lot of checks made out for the Institution?

A. Not very frequently.

Q. Did he not give checks during the month, which were honored by your bank, to J. E. Sullivan?

A. No, sir.

Q. Did he not give checks that were not numbered, that were different from the checks used on the special book of the Institution, to John E. Sullivan, and were they not honored by the bank?

A. Not to my knowledge.

Q. Can you explain why there are deposits made in your bank during the month, after the main deposit was made by the Treasurer.

A. He used to send his checks.

Q. Where did he get the money to do that; did he not get all of the money from the State, and was it not his duty to deposit it on that day?

A. That was his duty, but he did not do it.

Q. He did not do it?

A. It does not look that way.

Q. Does not your bank book here show that he deposited each month more than he received from the State, and that he checked out more?

A. I do not know how much he received from the State.

Q. Does not your bank book here show frequent deposits during the month; over four hundred of them, all of them after the chief deposit was made?

A. Yes, sir.

Q. In what way were these deposits made; by cash or by check; that is, during the month, after the chief deposit?

A. He may have brought in cash or checks.

Q. Did he bring in Sullivan's check or draft, during the month?

A. Very frequently.

Q. As a deposit?

A. Yes, sir.

Q. You knew that did not come from the State; did you know he was lending money to Sullivan?

A. No, sir.

Q. Do you remember of any checks drawn to Sullivan, not numbered and not in the usual course of business as Treasurer?

A. I have no recollection of any.

Q. You spoke of Wasson and some other person borrowing money there, the money being advanced on an order; was that ever done with Sullivan?

A. Yes, sir.

Q. How frequently?

A. Probably about six times in the last eight or ten months.

Q. When was the last loan of that kind made to Sullivan and Gapen together?

A. In December.

Q. What time in December?

A. I do not remember the date.

Q. Just relate how that was done, and the amount that was advanced to Sullivan on that order?

A. That was \$3,000. It was just an order given by Sullivan on Gapen as Treasurer, and accepted by Gapen as Treasurer.

Q. You do not remember the date of that?

A. No, sir.

Q. Was more than one order of that kind honored by you, of Mr. Sullivan's, during the month of December?

A. No, sir.

Q. Who took up that order?

A. Mr. Gapen.

Q. When?

A. When he made his next deposit.

Q. That was the January deposit?

A. Yes, sir.

Q. State the amount of that deposit made by him in January?

A. It was \$18,545.17.

Q. That appears upon his bank book January 11?

A. Yes, sir.

Q. You may state what was the usual monthly deposit?

A. From \$18,000 to \$26,000.

Q. This was smaller than usual?

A. Yes, sir.

Q. When he made that deposit, he had more than \$18,545.-17, did he not?

A. He has some \$371.06 more.

Q. Did he not have \$2,371.06?

A. No.

Q. If he paid up the \$3,000 did he not have that much more?

A. That was in February, and this was paid in January.

Q. You advanced to Sullivan \$3,000 on an order in December; when was that paid to you?

A. In January.

Q. What time in January?

A. January 11.

Q. Was that paid at the time he made the deposit with your bank of the money received from the State?

A. Yes, sir.

Q. What amount did he pay you on that?

A. Three thousand dollars.

Q. Did you have any other orders of anybody else on him at that time?

A. Yes, we did.

Q. When he made the deposit in January did he bring the full amount he received from the Treasurer to the bank, or did he bring it in cash and in checks?

A. He always made his deposits in cash—that is, the main deposits.

Q. Did he bring the whole amount of money and hand it over to you that day?

A. Yes, sir.

Q. And out of that you took the amount of the order, \$3,000, of Sullivan's?

A. He gave me a check payable to Sullivan to take up this order.

Q. Please examine that check, Mr. Kopp; what is the date of the check?

A. October 31st, 1888, for \$1,000, signed by P. M. Gapen, Treasurer.

Q. Was it payable to bearer?

A. Yes, sir.

Q. Does that check appear upon your accounts?

A. Yes, sir.

Q. Did you ever see that check before?

A. Not that I know of.

Q. Is it not numbered?

A. No, sir.

Q. Nor any indorsement by any one?

A. No, sir.

Q. Have you any recollection as to who brought that check to your bank?

A. No, sir.

Q. Did John Sullivan ever bring a check of that kind to your bank?

A. Not to my knowledge.

Mr. Fields :

Q. I want to ask you what is the largest deposit Gapen has made in the bank at any one time ?

A. As near as I can recollect it was \$26,000 or \$28,000.

Q. Never as high as \$30,000 ?

A. Not within the last two years.

Q. Was there any month in which he made no deposit ?

A. Yes, sir ; he did not make any deposit in March, 1887.

Q. What was the next deposit he made after March, 1887—what was the amount of it ?

A. \$24,531.49 in April.

Q. What was the sum of the deposits that month ?

A. He made one on the 19th, and one on the 21st.

Q. What I mean is the sum of all the deposits he made in that month ?

A. \$46,000.

Q. Did he draw out part, and re-deposit it ?

A. Yes, sir.

Q. Was there any one time during the last year that he deposited \$42,000 in any single deposit ?

A. No, sir.

Q. How far were these two deposits apart in April ?

A. Two days.

Q. What was the first one ?

A. \$24,531.49.

Q. What was the second one ?

A. \$21,907.59.

Q. What was the actual sum of money that Gapen had in the bank at one time, during that month of April, 1887 ?

A. About \$46,000.

Q. He had that much on deposit at one time ?

A. Yes, sir.

Q. Please state whether he had as much as \$40,000 in your bank at any one time, at any period after that ?

A. No, sir.

Q. Never had that much at any other time ?

A. No, sir.

Q. That was the time after he had skipped a month in depositing ?

A. Yes, sir.

Q. Well the Treasurer's books show that at the end of the fiscal year, October 31, 1887, Mr. Gapen drew the sum of \$42,000 in round numbers. State whether he deposited any such sum in October or November?

A. He made a deposit on October 20, 1887, of \$19,592.85; on October 29, 1887, of \$8,842.14, and on the 31st of October, 1887, of \$2,000. Total. \$31,000.

Q. That was the sum for all the deposits of October, 1887; \$31,000?

A. Yes, sir.

Q. Now tell us the deposits for November, 1887?

A. They were, November 7, \$11,000; November 8, \$400; November 8, \$2,000.

Q. State the deposits for December?

A. December 6, \$1,000; 13, \$18,694.46; 17, \$1,000; 19, \$1,000; 22, \$500; 23, \$500; 27, \$300.

Q. That is the sum of the deposits for December?

A. Yes, sir.

Q. Those small deposits had been checked out in the meantime, since the first deposit?

A. I do not know, I could tell by the checks.

Q. Now turn to October, 1888; what are the deposits for that month?

A. On the 27th of October, 1888, \$18,963.90; 31st, \$24,510.05; 31st, \$2,000.

Mr. Hays:

Q. Here are a couple of checks, bearing dates of March 8, 1888, and numbered 129, marked duplicate, and the two together corresponding in amount to this check for \$5,906.84. Have you any recollection of the transaction?

A. It looks to me as though we held an order for that amount, \$2,500, and this was turned over to Wasson.

Q. That would explain this other check for \$5,900?

A. Yes, sir.

Q. Is that word "duplicate" in your writing?

A. No, sir.

Q. Who filled out these two checks, No. 129?

A. I did; that is the only way I can account for it; that we held an order for \$2,500, and when he made his deposit he left a check for \$2,500 and took up this order, and gave Wasson a check for the balance.

Mr. Henry:

Q. You drew both of them; why did you do that?

A. That was done at his request.

Mr. Conn:

Q. Did you have possession of this check at that time, (No. 129, for \$5,906.84)?

A. No, sir.

Q. You never had that check?

A. We never had possession of it, no, sir.

Mr. Hays:

Q. Does your account show that those other two checks were paid, \$2,500 and \$3,406.84?

A. \$3,406.84 was paid on March 20, and the \$2,500 was paid March 22d, according to our books.

Q. It is evident that these two checks, being the same number, 129, and amounting to \$5,906.84, are for the same check, and for the same amount?

A. Yes, sir.

Q. You have Dr. Galbraith's account, have you not?

A. Yes, sir.

Q. Was it ever overdrawn?

A. No, sir; not to my knowledge.

Mr. Henry:

Q. Why were not those checks canceled the way you ordinarily cancel them, that is, with a canceling stamp like this (indicating stamp on check)?

A. Sometimes they put too many checks in the machine, and the cutter will not go through.

Q. There is no indication that they were ever in the machine; there is no impression, is there?

A. Yes, sir; that has been canceled. It came through the Clearing House and was paid.

Q. How do you ascertain that fact?

A. By the stamp on the back of the check.

Mr. Conn:

Q. There is a dispute now between you and the Treasurer, Mr. Gapen, as to the amount of money in your bank, to his account as Treasurer?

A. Yes, sir.

Q. What is the dispute?

A. It is \$3,043.66 which we advanced in order to get \$1,600.00 on a \$4,700.00 check deposited on January 21st.

Q. He claims there is three thousand dollars in bank, or ought to be there, to his credit?

A. His account is balanced with us according to our books.

Q. That matter is in court, is it not?

A. Yes, sir.

Q. Who brought the suit?

A. Mr. Gapen.

Q. As Treasurer?

A. Yes, sir.

Q. Against the bank?

A. Yes, sir.

Q. In what court?

A. In the Supreme Court.

Q. When was that suit brought?

A. On the 11th or 12th of February.

Q. Is there anything in the bank to the Superintendent's credit?

A. Yes, sir.

Mr. Conn :

Q. Do you know to what amount?

A. No, sir.

Mr. Henry :

Q. You know nothing about the loan made by the Superintendent to Mr. Sullivan of \$1,000, do you?

A. No, sir.

Q. Did you ever advance any money upon any order of Dr. Galbraith?

A. No, sir.

Witness was excused.

SATURDAY AFTERNOON, March 2, 1889.

Committee met at 1:30. Present: Messrs. Conn, Henry, Shockney, Hays, Fields and Burke.

Charles C. Roth, being duly sworn, testified as follows :

Examined by Senator Hays.

Q. State your name.

A. Charles C. Roth.

Q. Where do you reside?

A. At No. 15 Huron street, city.

Q. What is your present business?

A. City agent for Schnull & Co.

Q. What are the duties that you have to perform in that capacity?

A. Salesman and city drummer; it is a wholesale grocery house.

Q. How long have you been in their employ?

A. Ever since July or August a year ago.

Q. Where were you employed prior to that time?

A. As assistant storekeeper at the Insane Hospital.

Q. How long were you employed there?

A. I think about three years and a half.

Q. During that time, what was your position?

A. My work was mostly in the store room.

Q. Who was the storekeeper at that time, when you acted as assistant?

A. Mr. Hall.

Q. If any one else was employed with you in that part of the business you will state to the Committee who it was.

A. Mr. Gibson was the book-keeper part of the time; after him, Mr. Wilhelm. John Baron was in the store, helping us with goods and things, and after he left Mr. Hyde came in.

Q. What were Mr. Hyde's duties?

A. To assist me in issuing out the supplies and weighing them, and work of that kind, and general work about the store.

Q. How long was Hyde employed there before you left?

A. I do not know; it was some time; it might have been a year.

Q. State, if you know, who took that place when you left the asylum?

A. I do not know. I think Mr. Hyde did.

Q. Why did you leave?

A. Because they stopped my pay.

Q. You were discharged?

A. Yes, sir.

Q. Do you know who discharged you?

A. The Superintendent issued the discharge to me.

Q. Who was the Superintendent when you were discharged?

A. Dr. Fletcher.

Q. Was there any trouble between you and Dr. Fletcher?

A. No, sir, none that I know of.

Q. Tell the committee if you know why you were discharged?

A. That is a hard question. I was not given any reason. I know the Board wanted to discharge me on several occasions, but Fletcher would not do it.

Q. Tell the committee what you know about it; if you have any knowledge of your own on this subject; why the Board wanted to discharge you?

A. Sometimes Mr. Hall and I would have some difference regarding the quality and condition of goods.

Q. Explain to the Committee what the occasion of the difference was, and how you differed?

A. We would differ usually as to the quality and condition of the goods furnished to the Institution.

Mr. Howard:

Q. You and Mr. Hall?

A. Yes, sir; Dr. Fletcher as a rule decided with me, and the Board decided with Mr. Hall.

Mr. Hays:

Q. What the Committee wants to know is, what occasioned the difference between you and Mr. Hall?

A. Well, when the butter was not good I would say so and would refuse to have it; but he was higher than I was, and if he said to take it, it came in.

Q. So the difference between you and Mr. Hall was, one of you wanted to refuse inferior goods, and the other objected to it?

A. As a rule, that would be the difference between us.

Q. Which one objected to the quality of the goods?

A. I usually did the kicking.

Q. Explain to the Committee what the goods were that you objected to as being inferior?

A. Well, there would be all kinds of goods, butter, produce, dry goods, groceries, and various things the Institution would have to use.

Q. The Mr. Hall whom you refer to is the present Store-keeper?

A. Yes, sir.

Q. How long has he been there?

A. I expect for five or six years.

Q. Were you there during the time the butter was received there which was spoken of as being maggoty?

A. Yes, sir.

Q. What knowledge have you of that?

A. Well it is a fact.

Q. When was that, first?

A. Well, it is pretty hard to tell, there was a good deal of it.

Q. Was Mr. Hall there at that time?

A. Yes, sir; that was two or three years ago, it seems to me.

Q. Who received the butter at that time?

A. Well, I think Mr. Hall ordered it received.

Q. Do you know who furnished the butter at that time?

A. The most of it came from a man by the name of Krouse, of Columbia City; I think a couple of car-loads came from him; and of course a part of it came from Mr. Sullivan.

Q. What do you know, of your own knowledge, about their getting a part of it from Sullivan?

A. Yes, sir; part of it came from him.

Q. Was there any controversy between you and Mr. Hall about receiving that butter?

A. There was a controversy between Mr. Hall and I about receiving butter; I do not remember what particular butter, it has been sometime ago. I told him in the office I would not take the butter in. He said it was satisfactory to the Superintendent, and that it was the desire of the Superintendent that it should be taken in. It was from Krouse. Dr. Browning was in the office and heard the conversation, and came out afterwards and looked at the butter. Mr. Hall ordered it taken in from the car. We put it into the store-room, and of course we issued it out to the wards. Dr. Fletcher was the Superintendent then. The next morning when it went on to the tables, the attendants reported it to the Doctor, and he raised a fuss about it of course.

Q. Was Dr. Fletcher still Superintendent when you went away?

A. Yes, sir; I think he left about a month afterward.

Q. Do you know of your own knowledge, the circumstances of the change in the Superintendency?

A. I know this; that Sullivan told me that, "Dr. Fletcher, damn him, had to get out; that he was all the time kicking about his goods, and they had to have a man there who would not do it."

Q. Where was that conversation?

A. I do not remember whether it was at the hospital, or here on the street, somewhere in the city. He came out there occasionally.

Q. State whether Mr. Sullivan was furnishing goods during the time you were there?

A. Yes.

Q. What kind of goods were they?

A. He furnished some of the maggoty butter.

Q. What other goods?

A. Chickens, turkeys and eggs.

Q. I want you to tell the committee what the quality of the produce was; you spoke of the butter, now what was the quality of the goods?

A. We usually got what I called "seconds;" that would be cracked eggs, dirty eggs, and small eggs; eggs that, as I understand it, would not do to ship, but could be used here in this market.

Q. Are those things known in the trade as "seconds?"

A. I do not know about that.

Q. What are they, as to being merchantable goods?

A. You would not regard them as first-class.

Q. What would be the difference as to market value?

A. I do not know as to their market value.

Q. Did you know the prices that were being paid for produce during the time you were there?

A. Yes.

Q. Tell the Committee whether those prices were such as were paid for first class goods.

A. I suppose so; they were bought on bids, and he was generally the lowest bidder.

Q. Did you see the estimates that were made out for produce?

A. I did, yes.

Q. Did they call for second class goods?

A. No; everything was first class.

Q. I will ask you whether the kind of goods spoken of, the goods especially being spoken of here as being "seconds," whether they were the representative, or the usual class of goods received from Sullivan?

A. That was the rule.

Q. In what kind of packages were those eggs brought there?

A. In ordinary crates.

Q. Was the quantity of eggs estimated by the number of crates; or did you actually count them and see whether they were filled?

A. We usually looked at them to see that they were full.

Q. Could you tell whether they were full or not, without counting them?

A. No; we did not always go to the bottom of a crate and examine every tier.

Q. Would it not be easy to fill three or four tiers at the top and have it empty at the bottom?

A. I think not. The goods would go to the kitchens on requisition from the Superintendent. If the cook ordered a crate of eggs and it was not full as it should be, she would very soon find it out.

Q. Yes, but it would depend entirely upon the Storekeeper, would it not, whether the matter was made known?

A. Oh, yes, it would depend on him, perhaps, whether or not the matter was made known; but he would have to fill the requisition of the cook for whatever she would call for, and if a crate was not full the Superintendent would hear of it from her.

Q. Were the eggs sent to the kitchen in the original packages, as received from the poultry house?

A. Yes, sir, except to the officers' kitchen. The officers' kitchen and the kitchen for the patients is entirely different. They do not get the same kind of grub there.

Q. They were sent to the Hospital kitchens in the original packages?

A. Yes, sir. The others were usually put in buckets.

Q. Who had charge of that?

A. Sometimes Mr. Hyde or myself.

Q. The eggs were taken out of the crates were they not?

A. Yes, sir.

Q. When the eggs were taken part out of a crate, that partly-filled crate might be sent to the kitchen, might it not?

A. Such a thing might be.

Q. The cook would not know whether the crate was received partly filled, or whether it had been full and part taken out and sent to the officers' quarters, would she?

A. No, I do not think there was any such scheme as that.

Q. Do you know of any complaint, as to the condition of the eggs, being rotten, etc.

A. Oh, yes, there was complaint there.

Q. To what extent?

A. Well, the cook would report it lots of times.

Q. The requisitions called for other things?

A. Yes, sir.

Q. How often were eggs delivered to the Institution?

A. Whenever they needed them. Sometimes there would be three or four crates, and sometimes fifteen.

Q. Daily or weekly?

A. Two or three times a week; that is, when any of the produce men in the city had the contract.

Q. Did you ever have any conversation with the Trustees about the quality of eggs being furnished there?

A. Yes, sometimes.

Q. With whom did you talk?

A. With Harrison and Gapen, both.

Q. What complaint did you make to them, if any, about the quality of the goods?

A. I would simply state to them what I thought about it.

Q. What did you say to them, if anything, about the disagreement between you and Mr. Hall, concerning the quality of the goods?

A. I would say what we differed on; that I thought one way and he thought another, and that I thought I was right and would not take them in until they filled the contract.

Q. What would Gapen and Harrison say?

A. They did not seem to say very much about it.

Q. Did you know of their making an investigation after you spoke about it?

A. No; I never knew Harrison to investigate anything, except some apples and potatoes sent down there.

Q. What change would there be in the manner in which Mr. Hall received the goods, after you notified the Trustees of the quality?

A. None.

Q. What do you mean by the investigation of some apples by Dr. Harrison?

A. He bought some from somebody and sent them down there, and they were not what they ought to be, and Dr. Fletcher telegraphed him that we would not receive them. He got mad because Fletcher telegraphed him, and came down here and raised a fuss about it. He met me on the street, and was mad, and went out to see Fletcher; but they kept the goods, just the same.

Q. What was the quantity of these goods?

A. About a car load.

Q. What was the trouble with them?

A. They were small and not good. It seems to me that Fletcher telegraphed him that we could not use them. I think a copy of that telegram was in the investigation two years ago.

Q. Were they used in the Hospital?

A. Yes.

Q. Do you know what this man's—Hyde's—business was before he went to work at the Hospital?

A. I think he did something about the Capital House over here.

Q. Did you know Mr. Hall before he was employed out there?

A. No, I did not know him until I went there.

Q. Did you ever hear any controversy or conversation between Mr. Hall and Dr. Fletcher regarding the quality of goods being supplied to the Hospital?

A. Yes, many a time.

Q. What was the nature of that controversy?

A. Fletcher would grumble and growl, and tell him to send them back; but of course he would use his judgment about it.

Q. What would Mr. Hall say about it?

A. Hall is a man who does not talk much.

Q. Well, did he admit that the provisions were not good, or did he insist that they were good; how would he talk about it?

A. He would say, "all right, doctor," and go ahead and do as he pleased.

Q. Was there any change in the way he transacted the business, received the goods, after these objections?

A. None that I know of. I do not want to say anything unkind of Mr. Hall, because he was working, as I said, under the direction of the Board.

Q. We do not care about kindness or unkindness; what we want to find out is the facts.

A. That is the way I understood it. Now, there was always choice or the best creamery butter put on their requisitions; and if anybody else except Sullivan had the contract, it had to be that way, except Krouse; but if he had the contract, it did not make much difference. That is about the whole story.

Q. Was there any of the produce furnished by Sullivan, objected to or rejected?

A. Sometimes it would be sent back, yes.

Q. How frequently was that done?

A. Not very often.

Q. What was the quality of the goods rejected?

A. You might know they were not good, or they would not have been rejected.

Q. Were they first-class, second-class or third-class?

A. I do not, at this long time, remember the condition of the goods; but they were not up to the contract, or they would not have been rejected.

Q. Were all the goods delivered there, and received, up to the contract, first-class goods?

A. Certainly not. You don't suppose that grease and butter mixed up together, having maggots in it, was up to contract do you? All of it was not that kind, but there was a great deal of bad butter used there.

Q. How about the dry goods furnished there?

A. Sometimes dry goods would be very inferior, old goods, shelf-worn goods, and table cloths, toweling, etc., would not be as wide as the contract called for.

Q. How frequently was that the case?

A. I do not know, we occasionally had dry goods of that kind.

Q. Were any of the goods rejected because they did not come up to the estimates?

A. Sometimes they were, and sometimes they were not.

Q. Who furnished goods that were not up to the contract, and were accepted?

A. My judgment is that we had most of the trouble with D. P. Erwin & Co.

Q. How late did that occur, with reference to your employment out there?

A. I do not know; it occurred so often that the dates would be hard to get at.

Q. What complaint, if any, did you make to the Trustees, in regard to those goods, to either of them?

A. It seems to me that I wrote to the Superintendent in relation to it. I think I told him, and he said to put it down in writing. I think when Gapen was out there I told him about it too.

Q. What did Mr. Gapen say?

A. I do not remember what he said.

Q. Was there more than one person in charge of the store-room, or was it either of you that happened to be there? How did you manage that business?

A. Mr. Hall has charge of the store-room and the Steward's office. If any goods come out there about which there was any dispute they were left until he came and his decision was had about it.

Q. Were all the goods delivered to the Institution in the nature of supplies first delivered to the store-room?

A. Yes, sir, that is my judgment.

Q. Were they invoiced and put on the books before they went out of the store-room?

A. Yes, sir, after Mr. Hall would say what was to be done with them. I am speaking of the goods that there was any controversy about.

Q. Were all of the goods delivered there under contract first delivered to the store-room?

A. Yes.

Q. Were they invoiced?

A. Yes.

Q. Who made the invoice?

A. Sometimes I did and sometimes Mr. Hall.

Q. Was Mr. Hall always present when they were invoiced?

A. No, sir; goods that there was no question about were sometimes taken in and issued out.

Q. Who made out the estimates from month to month?

A. The heads of the various departments.

Q. How did they reach the Superintendent?

Q. They put on paper what they needed for their department for the month, and Mr. Hall would take these, or they would take them to the Superintendent. He would look over them, I suppose, and then return them to Mr. Hall to copy them into the regular book for that purpose.

Q. Is that book a book of this character (exhibiting a book)?

A. Yes.

Q. Who made out these estimate books?

A. That is Mr. Hall's handwriting. He made out the estimate books.

Q. When the goods were received, Mr. Hall and those working under him received them?

A. Yes, sir. Take this estimate here: Mr. Hall has charge of the groceries; his store-room and office are together. Now, the druggist makes out his requisition for what he wants, and the heads of the various departments make out their requisitions for what they want for a month. Then after the Superintendent has examined them, Mr. Hall copies all of them into this book. Everything goes through his hands before it is delivered to the Trustee.

Q. When the goods are delivered, who enters them upon the book?

A. Wilhelm; they are entered on the store book too.

Q. Who keeps the store book?

A. I did when I was there.

Q. Under whose charge was that?

A. Under Mr. Hall's charge; all the books in the store room of that kind were under him.

Q. Who made out the bills, from time to time, that were presented to the Board for allowance? Were they taken from the storekeeper's books.

A. The parties furnishing goods made out an itemized statement on blanks furnished for that purpose. Mr. Hall would take these blanks around and leave them, and then would call afterward and get the itemized statements.

Q. What do you know about Mr. Hall copying the accounts himself from his books, and having them sworn to and delivered to the Board?

A. Well, he might do that sometimes.

Q. Was there any objection, while you were there, as to the quality of chickens and other produce, furnished by Mr. Sullivan and others?

A. Yes, sometimes there would be objections to those, too. I think we had to throw away some of them that came from Krouse.

Q. That is the Columbia City man?

A. Yes, sir.

Q. Who received those goods?

A. I could not say in regard to that.

Q. Were they in good condition when received?

A. No, they were not good when received; we had to throw them away, but I do not know whether they were paid for or not.

Q. Did you have any acquaintance with Dr. Galbraith before he took the Superintendency?

A. No, sir; I do not remember of ever seeing him.

Q. Have you any information from the Board, or anybody connected with the institution, as to why the change was made in the Superintendency?

A. I think I heard Gapen say something about it. I understood he was to go there in June; it seems to me in June Fletcher's time was out; but I think when the Governor appointed the new Trustees to take the place of the others, they deferred that matter for three months; in the meantime there was some talk about the Superintendent, and it was my understanding that Dr. Galbraith was a creature of Sullivan's.

Q. From whom did you get that?

A. From Gapen and Sullivan; I think mostly from Sullivan.

Q. What did you ever hear Sullivan say about Dr. Galbraith?

A. I never heard him say a word derogatory of Dr. Galbraith.

Q. You spoke of understanding from them that Dr. Galbraith was a creature of their making; from whom did you get that information?

A. I think I told you from Sullivan.

Q. What did he say to you on that subject?

A. He told me that Galbraith would be the Superintendent before Fletcher left there.

Q. Did he give any reason why he would be?

A. I think I told you a while ago that he said Fletcher had to go.

Q. What did you ever hear Mr. Gapen say on the subject of a change in the Superintendency?

A. I never heard Gapen say much about it.

Q. Did you hear Dr. Harrison or Mr. Burrell talk about it? Was Mr. Burrell a Trustee when you were there?

A. Yes. Mr. Burrell and I were not good friends. He was not a friend of mine.

Q. What was the matter with you and Burrell?

A. I was not for him when he was elected, and I guess he did not like it. I thought he was not fit for the office, and I did not do anything for him when he was a candidate; and he always had it in for me when he was elected. When he was elected he was buying hogs over the country, and I insisted that they should be weighed, and nothing more paid for them than they were worth, and he did not like it.

Q. Who was he buying for?

A. He was buying them for the Institution and shipping them there in cars, and we bought them, I think, at so much a ton. I wanted to weigh the hogs, and not pay him any more for them than their weight came to; and he and Mr. Hall insisted that they had lost so much on the way, and that we would have to pay what they weighed when he bought them. I do not think the transaction was in his name, but he ordered the hogs purchased, and he made the purchase for the Institution. Of course, we did not weigh them. They paid for them, as I understand it, at the weight they bought them at. I think I told Fletcher about that and he said: "Well, he is running for Judge down there."

Q. Who did he refer to, when he said he was running for Judge?

A. Burrell.

Q. Well, do you know anything about the amount paid for the hogs?

A. I do not remember, no; but I know we had quite a dispute in regard to the hogs. They did not weigh up.

Q. Did you weigh any of them?

A. When they came there, I think we only weighed one car; some of them we did not weigh at all; and we paid for them at the weights they sent in here.

Q. Where those you weighed paid for at your weights, or at the weights they had been shipped by?

A. At the weight they had been shipped by.

Q. What was the difference?

A. I do not remember. I do not know whether it was on the books or not.

Q. Was there a difference?

A. Yes; it was considerably short—my weights.

Q. Do you know who received the money for those hogs?

A. I do not know who received the money, but I think the business on the books of the Institution is in the name of a party by the name of McCormick. I think he lives in Jackson County.

Q. You spoke of Mr. Burrell buying hogs; what information had you, and how did you get it, on that subject?

A. It was generally understood about the store there.

Q. Did Mr. Burrell ever say anything about it?

A. I do not remember hearing him say anything. He was there when the hogs were unloaded and taken down to the pens. I think I weighed one car load, and maybe two, and there was such a deficiency in the weights that we had quite a rumpus about it.

Q. Who?

A. Hall and myself, and perhaps Burrell.

Q. Was Burrell there at the time?

A. No, I think not; but when he came. I do remember that he was paid for the hogs, for more weight than they weighed when they arrived at the Institution; and Hall said they had lost in shipment.

Q. Did Hall insist on the hogs being paid for at the weights at which they were shipped?

A. Certainly; the vouchers ought to be in the Institution for them.

Q. What was said on the subject, between you and him?

A. It has been over three years ago, I do not remember the conversations.

Q. What was your salary when you quit there, what were you receiving?

A. I think \$75 a month and board. I boarded myself and got \$85 I think; and they raised my salary just before the Legislature met two years ago, \$15.

Q. What did they do that for?

A. Before that, some time, they had cut my salary down, so I would quit; then when the Legislature was going to convene they raised it back again.

Q. Were you kicking on the price you were getting?

A. No, I never kicked when I got \$75 a month. I got that and they cut my salary down, and I think it was Burrell or Gapen that said, "damn him, if he don't quit we will fire him."

Q. Do you know why they raised your salary, if they cut you down to get you to quit?

A. Fleteher did not notify me, and I drew my regular salary that month, and the next time they came here they put my salary back to \$60, I think; then, just before the Legislature met, two years ago, they raised it to \$75, I think.

Q. What time was that, that they raised your salary?

A. I think it was the Board meeting before the Legislature convened two years ago.

Q. That would be December, 1886, or January, 1887?

A. I think it was about that time.

Q. You did not answer, I believe, why your salary was raised, do you know?

A. That is a pretty hard question to answer. I suppose it was because the Legislature was about to convene and they wanted to smuggle every thing as much as possible two years ago.

Q. How long previous to that did they reduce your salary?

A. I do not know. Pretty near every time they met they wanted to discharge me, or had done it, and the Superintendent never would do it.

Q. How long did you say Dr. Fletcher stayed there after they discharged you?

A. I think about a month. I think the Board did away with the office of Assistant Steward, to get me out, if I remember right. Look on the record there. In July or August the Board, in order to get me out vacated the office. The Superintendent refused to carry out their orders.

Q. That was July or August, 1887?

A. Yes, sir.

Q. If you know anything outside of what has been asked you, that will be of any benefit to this Committee, we would be glad for you to go on, without being asked the questions, and tell us all about the management of the Institution, the way in which it was carried on, provisions furnished, and the way patients were treated, etc. We want to know the truth about it.

A. I know but little about the Institution since I left there. I shook the rot from my feet and got away to stay away.

Q. If you know anything in addition to what you have told us about while you were there, we will be glad to hear it.

A. Fletcher was a nice man; and I tried to fill my place there and to do justice to the State and to the people who furnished the supplies.

Q. What are your politics?

A. I am a Democrat.

Q. It does not make any particular difference, but I just have a curiosity to know.

A. A man by the name of McGann, who was in the dining room of the department for men at the time those bad supplies were being furnished, that is, so many of them, can tell you they had maggots over there, and everything of that kind—you will see his name on the pay-roll—and that Dr. Thomas would never permit a report condemning what Sullivan or any of the Board's friends furnished there for the patients to eat; and that he sent reports back to attendants and compelled them to make out new ones if they reported anything in a bad condition.

Q. What do you know about Dr. Howard complaining to the Superintendent while he was out there?

A. Only what Dr. Howard told me himself.

Q. Where was he?

A. He had a position out there; he was in the female department I think.

Q. Was he discharged, do you know?

A. I do not know; I think so.

Q. Was he there under Dr. Galbraith, since Dr. Galbraith has been there?

A. Yes.

Mr. Henry:

Q. You say the officers there would not permit complaint to be made against the produce their friends furnished?

A. Not in writing, no.

Q. Who was the special friend of Gapen that furnished goods there?

A. Sullivan, Erwin, Kreitlein & Schrader.

Q. Was Kreitlein & Schrader the firm, or Bissell that furnished defective goods, and there was so much loss on them?

A. Yes, sir; it was Kreitlein & Schrader.

Mr. Henry:

Q. Who were the special friends of Dr. Harrison who furnished goods there?

A. I can not say as to that.

Q. Was Sullivan one of them.

A. Sullivan, of course, was always a good friend of his.

Q. Was there any other firm?

A. I think the Jew, Krouse, was, too. Krouse was sent there by Senator Eli Brown with a letter of introduction to the Institution. That is the way he came to furnish goods there. It was my understanding that Brown was in the Senate and voted for Harrison and Gapen to be elected to their offices.

Q. Who was the special friend of the other Trustee, Mr. Burrell?

A. I don't know any in the city here.

Q. Outside of the city?

A. I do not know who he bought his hogs from. I don't know anything about that. I do not know Burrell.

Q. When were the hogs furnished that you spoke of a while ago?

A. I do not know.

Q. Was it before the investigation two years ago?

A. Yes, sir, during the reign of cholera hogs, I think.

Q. Of what rule do you speak, as to the officers prohibiting complaints to be made against goods furnished by their special friends to the Institution?

A. In my judgment it is carried on to this day. That was a rule when I was there, especially in the male department. It was not used so much in the female department, because Fletcher did not care and wanted to know the facts.

Q. What time did you leave the Institution?

A. I do not know the time exactly.

Q. Was it in 1887?

A. Yes, sir. I think in July or August, one or the other.

Q. You stated a while ago that they lowered your wages prior to the meeting of the Legislature for the purpose of inducing you to leave and give up your work. That was your judgment? Did they tell you that was the purpose?

A. I think so, and that Gapen said, "damn him, if he don't leave we will fire him next July."

Q. What reason did he give for that?

A. I do not know whether it was Burrell or Gapen that said that.

Q. When they afterwards restored your wages, and you think they did that for the purpose of retaining you there, so you would not be a witness against them? Were you a witness at that time, and testified against them?

A. Yes, sir.

Q. Did you testify about the maggoty butter?

A. Yes, sir.

Q. Was any of that bad butter, of that description, furnished after that investigation?

A. I do not think they had any maggots after the investigation.

Q. What kind of butter did they furnish, that you saw and know of after the investigation, up to the time you left the Institution?

A. I do not remember; for a year or two years before I left there but what we put on the requisition creamery butter, sometimes choice creamery, fancy creamery, or some other kind of creamery. If Jordan furnished it, it had to be the kind called for in the contract; but if Sullivan got the contract it did not make much difference. We hardly ever got creamery butter.

Q. Was that the condition of affairs, after the investigation until you were discharged?

A. Yes, sir.

Q. Where did you get your information from concerning the butter, or did you examine it?

A. I examined it.

Q. Describe what kind of butter it was?

A. Some of it was good butter.

Q. How was the rest of it?

A. Some of it would be old and strong, and butter that would not go on my table.

Q. Was there any butter purchased that they could not use, and had to throw away; I mean after the investigation?

A. Not after the investigation, while I was there.

Q. What kind of eggs did they furnish?

A. Cracked eggs, dirty eggs and small eggs, what I would call seconds.

Q. They were all of that description, were they?

A. Yes, sir.

Q. Rotten?

A. I suppose some of them were rotten and some were not.

Q. When Jordan furnished them, how were they?

A. They had to come up to time; had to be the very best; but nobody hardly ever furnished them but Sullivan.

Q. So you had bad eggs nearly all the time?

A. Yes.

Q. Did you have many "bad eggs" out there?

A. (Witness smiled).

Q. You described the other articles furnished by the other contractors, did you?

A. Yes; you see there is a son-in-law of Gapen's who works for D. P. Erwin & Co.

Q. Now describe what kind of goods they furnished from the time of the investigation until you were discharged. What kind of goods they furnished—D. P. Erwin & Co?

A. I do not remember; we may have had some of the same kind.

Q. You spoke about goods being shelf-worn, looked like they had been lying on the shelf for a long time; did you notice any more of those goods?

A. I can not remember now when all this was. I can not tell the dates, because I have not thought about it much since I left there.

Q. Did they pursue that method of discharging you by reducing your wages?

A. The record shows that they vacated the office.

Q. That is the method they pursued; they vacated the office and a man had to go; and when they wanted a man they created an office?

A. That is about it.

Mr. Hays:

Q. How many physicians were employed in the Hospital while you were there besides the Superintendent?

A. You mean how many at one time; the number of physicians?

Q. The number at one time?

Q. Part of the time four, and part of the time five physicians, besides the Superintendent.

Q. How many of them are there now that you know of?

A. Dr. Thomas, Dr. Wiles, Dr. Stockton, that is the female physician, and I think that is all.

Q. In what department was Dr. Stockton employed?

A. I do not know; I think she has charge of a division, and also has charge of the delicate female cases.

Q. She is a female?

A. Yes, sir.

Q. What department was Dr. Wiles in?

A. He was in the female department; I think he is now in the male department.

Q. Do you know anything about the attention he gave to the patients?

A. No, I do not know anything about the doctors. There was a patient who used to work in the store-room. He was Dr. Thomas' patient and he run off and went home. After he had been gone about two weeks the Doctor came down and wanted to find out about it, and he did not like it because we had not told him that the patient had gone away.

Q. Was he treating him at the time?

A. He was one of his patients.

Q. Was he sick at the time?

A. He was able to work down in the store.

Q. What was Dr. Thomas' character for sobriety?

A. I never found it very good: but he would never get so full but what he could go around.

Q. To what extent did he use intoxicating liquor?

A. That is a hard question. I have seen him what I would call drunk.

Q. How often while you were there?

A. I do not know.

Q. More than once?

A. Yes.

Q. Where was he when he was drunk. About the Institution?

A. Yes.

Q. During the time he was in service as a physician?

A. Yes.

Q. What was his reputation among the attendants and employes of the Institution, for drunkenness; was it generally understood that he was in the habit of getting drunk, and drinking excessively?

A. I do not know what the attendants thought of Dr. Thomas; I do not suppose he is very well liked by them.

Q. I am speaking of his habit of drinking?

A. It is generally known by everybody that knows anything about him at the Institution, that he drinks. To get at that you had better bring in Mr. Forest, or Dr. McClure, who is there with him, or Brice Martin, or Mr. Killion, and people about his office there, and Dr. Browning.

Q. What do you know about the provisions that were furnished there during the time that you were there, being hidden away at any time to prevent investigating committees from finding out what the quality was?

A. I do not remember of seeing any investigating committee there. Senator Foulke and Mr. Morton were out there one day, and there was some butter concealed. I do not know whether they were a committee or not.

Q. What do you know about whether Mr. Hall knew anything about that or not?

A. I do not remember the circumstances or the particulars of it now. This covers so much ground, and there is so much of it that I can not hardly remember it all.

Q. Mr. Hall was there at the Institution at the time, and knew about the quality of these goods, and received them over your objections?

A. Oh, yes. - Now it is my judgment that Hall always did what he thought the Board wanted him to do.

A. After your salary was raised, in the winter of 1886, before the Legislature met, how soon after that was anything said to you about quitting, or being discharged?

A. That was before the Legislature convened, or before the investigation commenced. It was not very long after the Legislature adjourned until the people who told the truth had to go. I do not call to mind but one employed in the Institution now who testified to the Committee about the maggotty butter and things of that kind two years ago. I think there is but one left that testified in that case to those things. I say that is the truth, in my judgment.

Q. How many employes of the Institution were discharged after that investigation?

A. I do not know. I could not give any information as to that; but I only know of one person there now who testified to the bad condition of things. When my salary was raised the Board was in session. I think Dr. Thomas sent me a note to come to his office. He questioned me as to what I would testify to in the investigation. I then told him about the condition of the goods, and that if I was put on the stand I would be very apt to say the same thing.

Q. Dr. Thomas?

A. Yes, sir; and he used every means he could, by talking to me, to prevent me from saying anything; but I did not think that was the right way to do business, and I told him so. He sent a note at once over to the Board—to Dr. Harrison it must have been; at least Dr. Harrison went over and had a conference with Thomas, and came to the store room, where the Board was in session, and called me into the office where the Board were, and began talking about the Legislature convening and an investigation. I told him I knew no way out of it if I was put on the witness stand. That at least twenty-five or one hundred of them had seen the maggots in the butter as well as I had. "Well, now," he says, "just say skippers; it does not sound as bad as maggots."

Q. So, at that meeting they made a raise in your salary.

A. That very board meeting they raised it. But there was nothing said to me about raising my salary that I remember of now. I do not say that the maggotty butter referred to was

actually butter. It may have been grease, or two-thirds grease; but it came there in tubs, and it went under the name of butter.

Q. There was no doubt of the maggots being in it?

A. No, sir, there was no doubt about it.

Q. Was it accepted?

A. Some of it was accepted, and some of it was so horrible that they were compelled to send it back. It was sent in that condition to the wards, and Dr. Fletcher got some of it and examined it under his glass.

Q. Was this man Monihan one of the men who testified before the committee?

A. I do not remember now.

Q. It was at the same time that your place was vacated that the places held by Monihan, and the farm hand, John Kissel, and the place of plasterer, occupied by James Hogan, and some others, were vacated?

A. I think so. There were a number of them that were vacated at that time.

Q. Do you remember Bell, and another man who was the engineer; were their places vacated also?

A. Yes, I remember ————— very well.

Q. Was this man ————— the engineer that testified about the condition of the boilers?

Q. Yes, sir, the same man.

Q. And this man Kissel; was he not the man that testified about the cholera hogs being killed?

A. I believe he was; I do not remember about that. We were in the habit of weighing the meat we killed on the farm there, and I know there was some of the pork that came up that was in such a bad condition that I would not weigh it.

Q. Did you know anything about employes being compelled to pay political assessments, while you were there?

A. Oh, yes, yes.

Q. How was that managed?

A. They had to pay it, that was all.

Q. Was there a certain amount required of each employe of the institution?

A. Yes; I think it was ten per cent. for three months, of a man's salary.

Q. How were the female employes treated; do you know whether they were compelled to pay anything?

A. I think they were. In addition to the assessment of ten per cent. for three months, I think there was an assessment for Harrison to carry Boone County with. Harrison told me that Sullivan gave him \$300 to help carry Boone County; and, of course, that made the assessment a little lighter on the employes, but not very much. I think it cost about \$5 for Boone County and about \$25 for the other one.

Q. To whom were these assessments paid?

A. I think the Boone County money went to Dr. Thomas; I do not know whether it went to Harrison or Hall or Dr. Thomas.

Q. Who received your contribution?

A. I do not remember that. I know that was the rule, and that was what we paid.

Q. Was there a list circulated?

A. A list, yes.

Q. Who made it out?

A. I do not know.

Q. Was it somebody there in the house?

A. I believe it was Tom Forest or Thomas; I do not know. I think Thomas engineered the thing. After the election was over in Boone County, Harrison told Fletcher and I that he had two hundred dollars left, and that he would just keep that until the next election. We all had to pay.

Q. Why; did you have to pay if you did not want to?

A. Well, they do not say, if you don't pay you can go; but a man generally felt safer if he paid it.

Mr. Howard.

Q. You delivered the issues for the kitchens of the Institution, did you not?

A. I do not exactly know what you mean. I was the storekeeper, of course, but we have a delivery wagon there to deliver the goods; I never delivered them?

Q. Who delivered them?

A. Whoever drove the delivery wagon. Some patient would haul them from the store to the various kitchens. I would help weigh out the goods, and go over to the Superintendent's office and get the requisitions that each department would want.

Q. Who made out these requisitions; the heads of the departments or the cooks?

A. Yes. When they came to the store, we copied them on to a book for that purpose. We sent nothing out of the store, except on a requisition from the Superintendent. The process was this: the requisition was sent to the store and copied there and sent to the Superintendent. The cook would send to the store and say that she wanted beans, or hominy, or extra butter, or canned goods or whatever she wanted. The sugar and coffee and tea was a regular thing every day; we knew how much to send. We took the requisition off from her book and copied it on to a book that we keep for that purpose. Whatever she wanted was written out in her book and sent to the store, which was copied into our book; then this book went to the Superintendent's office, and he signed it.

Q. Of what was the well-known quantity of tea and coffee composed?

A. I think two ounces of sugar for every employe and patient.

Q. How did you find out how many were to be supplied when you sent those quantities?

A. Every two or three days, or once a week, we got from the office the number of the wards; and we sent things according to that. I think two ounces of sugar, four-fifths of an ounce of coffee and one-eighth of an ounce of tea were the daily rations.

Q. Who was Superintendent then?

A. Fletcher.

Q. Did those rations continue the same after Dr. Galbraith came there?

A. I do not remember to have seen Dr. Galbraith.

Q. Did you ever visit the kitchens?

A. Yes.

Q. Was there ever any more sent than needed to the kitchens, or more asked for than needed?

A. I had no knowledge of that; do not know anything about it.

Witness was excused.

SATURDAY MORNING, MARCH 2, 1889. 11 o'clock.

Mr. H. S. Fox, being duly sworn, testified as follows :

Examined by Mr. Henry :

Q. State your name, business, and place of residence.

A. H. S. Fox, work for Pouder, at 232 East Washington street, city, in his office ; reside at 82 North Liberty street.

Q. What business is Mr. Pouder in ?

A. He is in the meat business.

Q. How long has he been in that business ?

A. As long as I can remember, about twenty-five years.

Q. Has he furnished any meat for the Insane Hospital ?

A. Yes, sir ; Mr. Pouder and Mr. Brian ; they are a firm, Brian & Co.

Q. Is there anything due upon their bill ?

A. Yes, sir ; they owe them for two months meat ; January and February.

Q. February just closed ?

A. Yes, sir, and the January bill is not paid.

Q. Do you know the amount of the January bill ?

A. It is \$1,014.54.

Q. That is all they owe them ?

A. Yes, sir ; they got paid for the meat furnished in December, the 15th of last February.

Q. What time did you fill your affidavit for the bill ?

A. For the December meat, the bill was made out about the 1st of January ; I can not state the exact date.

Q. What time was their bill made out for January ?

A. For January, 1888, about the second or third. We always make out bills about the first of the month. They had the bill for February meat made out, up in the office, waiting for Hall to call for it. Sometimes he calls for it, and sometimes he telephones us to send it by mail.

Q. Have you attempted to collect it ?

A. We have not gotten any check for it.

Q. Why did you not get a check for it ?

A. They said they could not give it to us.

Q. What was their reason ?

A. Mr. Pouder can tell more about it than I can ; he talked to Mr. Hall about it. As near as we can find out, there is no money in the treasury. They have been for a month to two months behind for a year or so.

Q. Are they any more behind now than they have been?

A. Not at present, no, sir; they were. The check for their June and July meat we could not collect until the 13th of August, I think. Mr. Pouder went to the bank and they told him there was no money there. He telephoned to Mr. Gapen, and he said he would have the money there in two or three days. He went down three different times before he got the money. That was in July. He did not get the money until August.

Q. He got the check when?

A. In July.

Q. What day in July?

A. That is more than I can tell.

Q. The early part or the latter part?

A. Along, I think, between the 7th and the 10th.

Q. And that was not paid until August?

A. No, sir.

Q. What was Gapen's reason for that?

A. I do not know that he gave any reason, but said the money would be there in two or three days. Whether or not he gave him any reason I can not say.

Q. What was the amount of the bill at that time, do you remember?

A. I think it was over \$2,000.

Q. How long did you have to hold the check?

A. I think a little over a month before we got the money. They owe Mr. Charles Gardner for December meat yet.

Mr. Brown:

Q. Do you know what amount?

A. I think nine hundred and some odd dollars; \$913 I think it is. They owe him for December and January.

Q. What did you say the name of the firm was?

A. C. G. Gardner is the name of the firm. The total bill they owe him is \$1,943 for December and January; that is what Mr. Gardner's book-keeper told me. The check is written and signed, and is at the Insane Hospital. Mr. Hall has it. He telephoned Mr. Gardner to send out for the check; the book-keeper asked him if he would not be kind enough to send it by mail. He said he would rather see him personally. So Mr. Howard, the book-keeper, went out. Hall said he could not give him the check at present; that there was no

money there, and he wanted to wait until after this investigation was over, and to call Monday. He went out again Monday, and failed to get the check.

Mr. Brown :

Q. Did he assign any reason for waiting until the investigation was over?

A. Not that I know of; if he did, Mr. Howard did not tell me.

Mr. Conn :

Q. Do you know anything about any other checks that Mr. Hall has, and will not deliver?

A. None that I know of, no sir.

Mr. Henry :

Q. Who went out to the Hospital?

A. Mr. Gardner's clerk, Mr. Howard, I think his name is Oliver Howard, I am not positive.

Q. You have not heard of any other check being held back, have you?

A. No, sir, I have not.

Q. Do you know anything about the manner in which they conducted the bids for the different things furnished?

A. The only thing I know about it is that we came down to Room 25 here, where they had their requisitions, and filed our bid. I filled out a blank and delivered it there in a sealed envelope. How it was conducted afterwards I do not know.

Q. You wrote out the whole application yourself?

A. Yes, sir, in our line of bidding.

Q. Giving both amounts and figures?

A. Yes, sir; what the meats cost a hundred, and then carried out the total footing. That is the way I always make out the bids.

Q. Has your firm furnished the Asylum, pretty generally, during the last few years, with smoked meats?

A. Yes, sir. Not every month, for they do not always call for smoked meats.

Q. You do not have one clerk to fill out the bids and another to fill in the prices?

A. No, sir, I always filled them out myself, except once when I was not here.

Mr. Conn :

Q. This is your writing, is it? exhibiting meat bid.

A. Yes, sir.

Q. How long have you been furnishing them with smoked meats?

A. We have been furnishing them with smoked meats for the last four or five months right straight along, and then off and on ever since I have been with Mr. Pouder.

Q. Is Mr. Pouder a member of the firm?

A. Yes, sir.

Q. You mean the firm when you speak of Mr. Pouder?

A. Yes, sir.

Q. I see on the letter-head just Mr. Pouder's name; how does that come?

A. He is in the meat business himself; the firm of Brian & Pouder is a different firm. I use Mr. Pouder's private letter-head.

Q. Mr. Pouder is a member of the firm of Brian & Pouder?

A. Yes, sir.

Q. Where is their office; do they occupy the same room?

A. Yes, sir. Mr. Brian is in the wholesale beef business. He slaughters the beef at the abattoir; and when they bid for the asylum beef it is T. Brian & Co., in partnership.

Q. Has Mr. Pouder ever put in a bid?

A. No, sir; not since I have been with him.

Q. Is there any statement you would like to make to the committee, or that will help us in any way in our investigation?

A. Mr. Gardner and his book-keeper and Mr. Pouder might give you some information that I am not aware of.

Q. You have no more facts you would like to state? If you have please do so. Anything you know concerning this investigation.

A. If you subpœna Mr. Gardner and his book-keeper they can give you some information that I did not give you.

Q. Do you know of any combination for putting up the prices?

A. No, sir.

Q. Do you deliver the goods for your firm?

A. No; but I have been out there several times with the goods; was out there four times last month.

Q. Who receives the goods?

A. Part of the time Mr. Hall and part of the time Mr. Hyde. Mr. Hall is not always there. He received the goods once while I was there.

Mr. Conn :

Q. The goods are all weighed right there, are they, while they are received?

A. Yes, sir. They sometimes make us wait there a long time. Mr. Hall has made Mr. Brian wait there for two hours at a time before he would weigh them. They will telephone that they want a load of meat in the morning, early. If they get there between six and seven and Mr. Hall's breakfast is ready he will go to breakfast and make them wait until he gets back. He has made them wait there for two hours at a time.

Q. Have you any personal knowledge or information in reference to the transaction of the business of the Insane Asylum that would be of importance in this investigation?

A. The reason I wrote you a letter was this: I see that Mr. Gapen made the statement that all accounts that were allowed have been paid. I was positive that ours had been allowed and not paid; also Mr. Gardner's. As near as I can get at it they owe a St. Louis firm for February meat. They owe over five thousand dollars for meat alone. Our bill for January was ten hundred dollars, and I do not suppose we will get a check for that until the Board meets again. They have always done this way for the last year.

Q. You say there is a house away from here delivering goods?

A. Yes, the St. Louis Beef Company furnished them with beef last month.

Q. I thought your firm furnished them with meat last month?

A. That was smoked meat.

Q. How many bidders are there for smoked meat usually?

A. That is more than I can tell. On the requisition for last month they have ham, bacon and fresh beef. I made out separate bids for beef and smoked meat. Month before last they called for beef, ham, bacon, veal and mutton, and I think some sausage. The hams, bacon, veal, mutton and sausage were put on one bid, and the different kinds separate. The reason I did that is, that in the requisition it is underlined, and separate bids are required, or at least that is the way we take it,

and we bid separate. I do not know how many bidders they have, because we are not there when the bids are opened.

Q. Do you generally run over the amount of the requisition?

A. Sometimes we have overrun on the hams.

Q. What is the largest amount in any month, that you have run over the requisition?

A. I think in January we run over, in the neighborhood of 1,500 pounds; never more than that.

Q. How much in the whole bill, in money?

A. Probably about four hundred dollars; and then, meat is cheaper now than it has been for a good many years.

Q. It has been cheaper for the last year, has it not?

A. Yes, sir.

Q. Have they been using more, or less, meat; I mean was it less than the requisition or above; how much above on smoked meats?

A. They have been using considerable smoked meats, yes, sir.

Q. How does it compare with a year ago, more or less?

A. The requisition, as near as I can recollect, calls for about the same amount. It depends upon the time of the year; sometimes they want 1,000 pounds of ham and 1,000 pounds of bacon; and then they want 2,000 pounds of ham and 2,000 pounds of bacon.

Q. There has not been any great falling off in the use of meats?

A. No, sir; sometimes they use more beef and not so much smoked meat; and then, again, more smoked meat and not so much of the other kind.

Q. You think the requisitions are just about the same as they were a year ago, and sometimes you run over?

A. We have run under and we have run over. If I am right, I think the January requisition calls for sausage, and they do not get any at all; in December they got sausage.

Q. Do you remember the amount of your bill in December?

A. \$749.90, I think. In January it is more than that, it is over \$1,014.

Q. A year ago you furnished \$729.40; what is this December?

A. \$749.00.

Q. Do you furnish most of the meat?

A. No, sir; not altogether. We are not furnishing beef this month; have not for the last four months. The St. Louis Beef Company is furnishing the beef this month, and furnished it last month. I do not know the price.

Q. It is less than you furnished it?

A. Yes, sir.

Q. What do you furnish it at?

A. Our bid for March was \$575, and our bid for February was \$540, I think.

Q. Beef is lower than it has been for years?

A. Yes, sir.

Q. Has it not been lower in the last two years than for a number of years?

A. Yes, sir.

Q. Lower than for twenty years?

A. I can not recollect back that far, but as far as I can recollect, meat has been cheaper in the last two years than I can remember it before.

Q. Are smoked meats lower than they have been for a long time?

A. We have bought them cheaper than at present; but, as a general thing, they are cheaper now. They have been cheaper in the last two years than for three years previous to that.

Q. Do you remember what you furnished hams at?

A. This month at 11 cents, last month at $11\frac{1}{4}$. We have the contract for smoked meats this month.

Q. Your bill included your contract for smoked meats and beef, and everything, did it?

A. That seven hundred dollars for December was just smoked meats, and does not include beef. We have not furnished beef, I don't think, for four months. I can tell better by referring to the books.

Witness excused.

Committee adjourned until afternoon.

MONDAY MORNING, March 4, 1889.

Committee met at 9:30 A. M. Present: Messrs. Conn, Hays, Henry, Howard and Fields.

Mr. W. G. Wasson, being duly sworn, testified as follows:

Examined by Mr. Hays:

Q. State your name?

A. W. G. Wasson.

Q. Where do you live?

A. In Indianapolis.

Q. What is your business?

A. I am a coal dealer.

Q. Do you do business by yourself, or have you a partner?

A. I am alone.

Q. Are you an operator?

A. I am an operator and a wholesaler.

Q. How long have you been in the business in Indianapolis?

A. Nine years.

Q. Do you furnish coal to the Hospital for the Insane?

A. Yes, sir.

Q. How long have you furnished coal to that Institution?

A. Well, during two years, part of the time.

Q. When did you begin furnishing it?

A. In the fall of 1887.

Q. When did you first furnish coal, the first load?

A. I think it was about that time. I can not remember the date; I might by reference to the books.

Q. Have you a book with you, by which you can tell?

A. Yes, sir; I think I have.

Q. Please refer to it and see?

A. December 31, 1886, I find a bill here. I cannot say that this was the first; but it is all I see in this bill book. The bill was made out December 31, 1886. The coal was furnished in November 1886, probably the month previous.

Q. Do you know who had been furnishing the coal before you got the contract?

A. No; I do not.

Q. Were you awarded the contract for furnishing the coal for the entire winter of 1886-87?

A. No; I was to furnish it on monthly contracts; that was the understanding.

Q Who prepared the bids for the coal?

A. Mr. Shepard, my bookkeeper.

Q. Were you present when they were presented to the Trustees?

A. No, sir.

Q. Do you know anything of your own personal knowledge as to how that was conducted?

A. No, sir.

Q. Were you ever at a meeting of the Board when contracts were awarded?

A. I never was.

Q. Did you see the bids after they were prepared?

A. I have seen the bids.

Q. Did you see the bids that were delivered to the Trustees?

A. Yes, sir.

Q. Were they sealed up before they left the office?

A. Yes, sir.

Q. How frequently did you see the bids?

A. Every month when I was in town.

Q. How often were you in town?

A. I was here most of the time; am away from the city a good deal.

Q. How often, before you saw the bid, did you have any personal knowledge of it? or was that entrusted to the bookkeeper, and the delivery of the coal entrusted to the railroad company?

A. No, sir.

Q. Was the coal delivered in car load lots?

A. Yes, sir.

Q. What road did you ship the coal over?

A. The Jackson coal, from Jackson, Ohio, over the I., B. & W.

Q. And delivered to the Institution on track?

A. No, sir; it was delivered to our order here, and the delivery was made by us to the Asylum.

Q. They have a track out there at the Asylum?

A. Yes, sir; a side track from the I., D. & S.

Q. The coal was sent out there in the original cars?

A. Yes, sir. The other coal that was shipped over the Vandalia from Brazil was shipped direct to me, and by me re-billed to the Institution in the original cars.

Q. What amount of coal did you furnish them in the month of November, 1886, Mr. Wasson?

A. Three hundred and seventy-four tons, "400" of lump, and seventy-nine tons of nut.

Q. Were you awarded the contract for furnishing all of the coal for that month?

A. I do not know, sir; I have no knowledge on that point.

Q. Was the contract bid for at each separate meeting of the Board for each month?

A. Yes, sir.

Q. You did not get the bid for a certain month, and continue to furnish on that bid, from month to month?

A. I could not tell that; I could not tell how much coal we put in. We may have placed more coal in there than our contract called for, or we may have put in less.

Q. Were the bids made for coal for one month?

A. No, sir; for so many tons, without reference to the month. We might put in 1,000 tons, or only 500.

Q. Did the estimates call for the coal to be furnished at a particular time?

A. Yes, sir; in the month of November, or January; and this was for November.

Q. Commencing with November, did you continue to furnish coal there every month during that winter?

A. I could not tell, I will see the book. The next bill here appears for January 27th, that is for December.

Q. How frequently were your bills presented to the Institution for allowance?

A. Every month.

Q. Who did that?

A. Mr. Shepard.

Q. How did he get at the amounts?

A. By the amounts billed to the Institution by us.

Q. Was that based on the weights at the mines?

A. Yes, sir.

Q. You made out your bills based on the weights at the mines when the cars were shipped to you?

A. Yes, sir, and the bills were allowed and paid on those weights.

Q. Do you know of your own knowledge whether the cars were re-weighed after they were shipped to you?

A. I do not know.

Q. Have you any means of weighing them at the Institution?

A. Yes, sir.

Q. Were your bills always allowed and paid according to the bills made out?

A. I can not remember that definitely.

Q. Did you ever have any controversy or trouble about the amounts?

A. I do not remember that we had. If we did I think I would remember it.

Q. Then, in your opinion, were your bills always allowed and paid according to the statements furnished by your book-keeper, based upon the weights at the mines?

A. Yes, sir.

Q. Were your bills paid promptly on presentation from month to month?

A. Not always.

Q. When was there any exception, if there was any?

A. I can not remember the date; probably over a year ago.

Q. Do you know what the trouble was?

A. I do not.

Q. How long was the delay in getting your pay?

A. Some times we would get a portion of our bill and then wait thirty days for the balance.

Q. Were the bills allowed and not paid, or only partly allowed?

A. I do not know; I suppose the entire bill was allowed.

Q. Do you know in what shape the bills were paid; whether by order on the Treasurer, check on the bank, or currency?

A. Usually by check drawn on the Treasurer, Mr. Gapen, to our order.

Q. Was there any time when you drew in advance of your bills being due?

A. I think not.

Q. Did you ever borrow any money out of the bank and deposit an order on the Treasurer as credit?

A. Yes, sir.

Q. When was that?

A. Well, I could not give the date.

Q. What was the occasion for doing that, Mr. Wasson?

A. It was being hard up in my business.

Q. It was on account of your own personal condition and not on account of the condition of the Institution?

A. Yes, sir.

Q. At the time you got that money out of the bank were your bills paid as they came due?

A. Yes, Sir.

Q. The securing of the advances from the bank was not occasioned by the failure of the Trustees to pay your bills?

A. No, sir.

Q. It was on other accounts?

A. Yes, sir, on other accounts.

Mr. Howard :

Q. How often did you have the money advanced from the bank?

A. I think I anticipated payments several times; I can not say.

Q. Do you know how much money you took out of the bank in that way at any one time?

A. I can not remember; I never transacted any of that business myself, individually, and can not remember the amounts exactly.

Mr. Hays :

Q. Do you remember at one time when you borrowed \$2,500 out of the bank?

A. Yes, sir.

Q. Can you tell when that was?

A. I can not remember the date exactly without referring to my book.

Q. Have you any book with you, to which you can refer? How was that \$2,500 borrowed by you, secured?

A. It was by an order from the Treasurer that there was that much money due me from the State.

Q. Was it due at that time?

A. Yes, sir.

Q. Had not your account that was due and allowed, been paid at the time you borrowed that money?

A. No, sir.

Q. What was the amount due you at that time?

A. It was \$5,906.84.

Q. How long did you have that money borrowed?

A. I could not say.

Q. When was it borrowed?

A. March 21.

Q. Did you have it as much as 30 days?

A. I could not tell.

Q. The \$5,906.84 was not due until March, was it?

A. We always claim our accounts at the first of every month.

Q. Is it not true that you borrowed that money before the first of the month?

A. I could not tell you as to that; I do not know; I have no means here of telling.

Q. If you did borrow it before the first of the month, there was nothing due from the Institution at that time, was there?

A. No, sir; not for that month.

Q. Was not that the case, that there was nothing due you, though you had been furnishing coal for the current month; you would have that much due you when your bill would be allowed afterwards?

A. I do not know.

Q. At the time you borrowed the money from the bank and secured it by an order on the Treasurer, had you any amount due you which had been allowed and passed on by the Board of Trustees?

A. I do not know.

Q. If, as a matter of fact, your claim had been allowed, what was the occasion for borrowing the money; would not your bill have been paid as soon as allowed?

A. I do not know whether it would or not; I can not tell.

Q. I understood you to say awhile ago that at that time there was no trouble about bills being paid for want of funds.

A. I told you we were paid on account sometimes; I think I answered that way.

Q. You stated awhile ago that at the time you borrowed the money out of the bank it was not occasioned by a failure to pay your bills, but that you needed the money and was hard up yourself.

A. That may have been the case; I cannot remember the details connected with the case at that time.

Q. If you had \$5,900.00 due you, the payment of which was refused for want of funds, would you not remember that transaction?

A. Yes, sir.

Q. I will call your attention to this bill; is not that a bill for the amount to which you refer?

A. Yes, sir.

Q. That was presented to the Board, was it not, on the 8th of March, 1888?

A. Yes, sir.

Q. I will ask you if you did not receive a check from the Treasurer on the Meridian National Bank for that bill at the time it was dated, or was allowed?

A. I do not remember.

Q. I will call your attention to that check: is not that the check received from Mr. Gapen as Treasurer, for \$5,906.84 at the time the bill was allowed?

A. No, sir; I think not.

Q. That represents the same amount, does it not?

A. Yes, sir.

Q. Payable to your order?

A. I do not think I ever received it.

Q. I will call your attention to these two checks, did you ever receive those?

A. Yes, sir.

Q. What is the amount of those two?

A. \$5,906.84 is the amount of them.

Q. Those checks are dated March 8, 1888, are they not?

A. Yes, sir.

Q. When did you receive them?

A. According to our books they were received the 21st; I could not state the date, positively.

Q. Does your book show when you received the checks, or when they were cashed?

A. When they were cashed.

Q. Do you know when you received the checks?

A. I do not.

Q. Do you know from whom?

A. From the Meridian National Bank.

Q. How did you receive them from the Meridian National Bank? How did they get in their possession?

A. I suppose they were left there in payment of my claim.

Q. Do you know anything about that?

A. No, sir, I told you I never transacted that business, and I have no knowledge of the transaction myself, any more than that I was not engaged in the business.

Q. Was it your understanding that these two checks represented your account on the 8th of March?

A. Yes, sir.

Q. What was that \$2,500 check drawn for?

A. I would suppose it was drawn to pay the amount of money I had gotten from the bank.

Q. You had gotten it before that?

A. Yes, sir.

Q. At that time there was no money due you from the institution; by due, I mean matured?

A. I do not understand that.

Q. You had not presented your bill at that time had you?

A. Yes, sir; I will explain a part of that to you; our bills are always made out the first of the month, and the bills are sent to the institution, and then is sent back to us and made out on their form, used by the asylum; and the date between the 31st and the 6th would explain the question you have asked me.

Q. This seems to have been made out the 2d, and by your bookkeeper the 5th of February, 1888?

A. Yes, sir.

Q. A part of it has no date; does it cover the two months' bill or the three months' bill, or what length of time?

A. I do not know anything about these bills. This represents, here, from January 6 to January 20; and this bill, here, is January 29 to February 29.

Q. What does this mean, I see it dated February 29; is that a mistake—I, B. & W., Car No. 10,721?

A. It looks like it is. I can not really tell; I can not answer that.

Q. Does it not appear on that bill which you have in your hand, that there is an account for \$666.30 for coal furnished on the 29th of February?

A. That is the order for that, yes.

Q. And that this bill was really allowed and a check drawn on the 8th of February, twenty-one days before it was presented?

A. I think that is a mistake; I do not understand it.

Q. Do you know why that date is not filled in there?

A. I do not.

Q. Do you know whether that amount was sworn to or not?

A. I do not.

Q. It does appear from the bill that this last amount, \$660.30, was not sworn to, does it not?

A. I could not explain that.

Q. I see on the last page there, reciting amounts: February 29th, account \$666.30; balance from page 1, \$4,309.52; balance from page 155, February 9th, 1888, \$1,340.06; can you explain what that means; voucher 105, February 9th, 1888, \$1,340.06?

A. I do not know anything about that.

Q. This check—do you know anything about what the voucher is for—\$1,340.06?

A. No, I do not.

Q. Had you a voucher, the payment of which was refused, for that amount?

A. I never had, that I know of.

Q. Is there any balance due you on your account from the Insane Hospital?

A. No, sir.

Q. When were your last bills paid?

A. I do not remember?

Q. I will ask you if you had any conversation with any of the officers or Trustees of the Hospital about furnishing coal before you put in your bids?

A. I never had.

Q. Have you ever had any conversation with them about the coal business since you have been furnishing coal there?

A. No.

Q. Were you requested by any one to bid for coal before you commenced bidding?

A. No, sir.

Q. You said you had no personal knowledge of the manner in which the bids were awarded?

A. No, sir, I have not. I will say in explanation, I have no knowledge of the accounts or how they were kept, or how the money was received; it is a part of the business I never attend to; Mr. Shepard attends to that.

Witness was excused.

MONDAY MORNING, March 4, 1889, 11:00 A. M.

Mr. Frederick K. Shepard, being duly sworn, testified as follows:

Examined by Mr. Hays:

Q. State your name and occupation?

A. Frederick K. Shepard, book-keeper for W. G. Wasson.

Q. How long have you been employed by Mr. Wasson in the coal business?

A. About three and one-half years.

Q. What are your duties?

A. I am the book-keeper and have charge of the correspondence, and manage the business.

Q. Have you any other relation to the business than having general charge of it, and keeping the books and attending to the correspondence? Has he any other manager except you?

A. No, sir, except himself.

Q. Does he give his personal attention to the management of the business?

A. Principally, yes, sir.

Q. What personal knowledge have you of the manner in which the bids were made at the meetings of the Board of Trustees of the Insane Hospital for the furnishing of coal by Mr. Wasson?

A. Well, we put in bids for coal whenever there was any coal called for, in the regular way.

Q. How would you receive the information that coal was wanted?

A. It was the understanding that a certain time in the month there were things of that kind furnished at a certain room down stairs—I do not remember the number—where they had specifications made out for certain requisitions. We had a man to attend to outside matters, and he went there at these times, and if there were any bids called for for coal he

let us know, and we put in our bids at the proper time. I generally attended to the bids myself. I left the bids there before the Board meeting, generally during the forenoon some time. I understood that the bids had to be in at ten o'clock. It was on Friday that they received the bids, and I always tried to get the bids in before ten o'clock.

Q. Did you always do that?

A. Yes, as far as I remember, I did.

Q. How were they delivered?

A. Simply left on the table. There was a pile of bids of all kinds on the table, and I went into the room and laid our bid on the table with the rest.

Q. Was there any person in charge of the table?

A. There did not appear to be. There were generally several persons standing around; probably some were bidders and members of the Board. I never knew them.

Q. Did you ever go into the room while they were examining bids?

A. I never remember of going into the room when they were holding a meeting. They were simply waiting until the proper time came to call the meeting to order.

Q. In what shape were bids delivered?

A. They were sealed up in envelopes.

Q. Did you furnish those envelopes?

A. Most of the time. I remember one or two occasions when I got an envelope from across the hall, from the Superintendent of Public Instruction, and sealed it up in one of his envelopes.

Q. Were the bids for coal and for other matters all mixed up together on the table?

A. Yes, sir, as far as I remember they were; all sorts of bids. I never examined them, of course, but the table was strewn with envelopes, and I suppose they were bids of all kinds.

Q. Was there anything to indicate whose bids they were?

A. No, sir; some of them were in business envelopes, the same as ours. The envelopes I generally put our bids in have our card on the corner, and I presume some of the others did, but I can not say.

Q. Was there any one there to prevent people coming in from handling the envelopes?

A. I do not remember that I saw any one; I never stayed there long.

Q. Were you present when the bids were opened?

A. No, sir.

Q. Who was usually there with the Trustees?

A. I do not know the Trustees personally. I know Dr. Harrison and Mr. Gapen, they were usually there, sometimes they were not there. Mr. Hall, the Storekeeper was usually there.

Q. Do you know if he had charge of the bid?

A. I do not know. There did not seem to be anybody in charge of the bids.

Q. When was your last bill furnished to the Insane Asylum for coal?

A. The last coal we put in was in the month of December.

Q. Has your bill been paid?

A. Yes, sir.

Q. Who made out the bills for the Hospital?

A. I generally made them out.

Q. How do you get the amounts?

A. From the weights of the cars, adding the weights together.

Q. Do you get the weights on the bills by which the cars were shipped to you?

A. Yes, sir.

Q. Were the bills paid on those weights?

A. Yes, sir.

Q. Was the coal weighed at the Asylum?

A. I do not know.

Q. Was there any objection to your bills?

A. No, sir.

Q. Was there ever any change made in the amount of your bills?

A. Not that I remember of; I do not remember of any change ever being made in any of our bills.

Q. Did you furnish coal every month?

A. Yes; we furnished coal every month, and made out the bill at the end of the month. Sometimes it was allowed promptly after the first of the month, and sometimes it would run over for another month.

Q. Do you know why that was?

A. No, sir.

Q. Did you ever get any explanation why your bills were not allowed when presented?

A. Nothing definite; my understanding was, that it was because there was no money in the treasury, or none appropriated.

Q. Whom did you get that understanding from?

A. I think from Mr. Gapen, who was the Treasurer of the Board. If we were not paid promptly we would inquire of him or Mr. Hall.

Q. Did Mr. Gapen tell you that there was no money in the Treasury?

A. I do not remember that that was the reason given; my understanding of it is that the reason given was because there was no money in the State Treasury.

Q. When were your bills refused on that account?

A. I can not tell exactly, as to the dates, without referring to the books—I find that our bills for September, November and December, 1886, were all paid at once, in January, 1887. We did not get our money for September and November, 1886, until January, 1887, following.

Q. What was the amount of your bill at that time?

A. For those three months it was \$21,012.58.

Q. When, next after that, were your bills refused for want of funds?

A. Our January bill, 1887, was paid promptly in February. Our February bill was not paid until April the 19th, two months later. Our bills were always made out promptly at the close of each month, and I generally mailed the bill to Mr. Hall; sometimes he would not bring around his blanks, the blanks of the Institution, on which to make out the bills until sometime afterwards, and it might possibly have been that these bills were not made out promptly on the blank of the Institution. They were always made out on our bill-heads and mailed to Mr. Hall at the end of each month.

Q. Was there any difference between the accounts made out on your blanks and those on the blanks of the Institution?

A. No, sir; one was a copy of the other, and made from our books. In making out the bills on Mr. Hall's blanks, I copied them word for word and figure for figure from the bill

I rendered him at the end of the month; one was an exact copy of the other.

Q. Why were those bills sent to Mr. Hall rather than the Superintendent?

A. It was my understanding that Mr. Hall had charge of that matter, and that it was his place to examine the bills and check them up.

Q. They were not sent to the President or Treasurer, but to Mr. Hall?

A. Mostly to Mr. Hall. Sometimes he would come and get the bills before I mailed them to him. It was generally before the end of the month before I could make out the bills; and sometimes Mr. Hall would come in after I mailed bills to him and leave his blank; but usually the bill was mailed to him.

Q. When was the next bill passed over?

A. Here are the bills for March and April, paid in June, 1887, June 13th, in one item.

Q. Had your bills been presented to the Board, or sent to the storekeeper, at that time?

A. Yes, sir.

Q. When next were your bills passed over?

A. Our bill for October, 1887, was paid in December; that is, I find we had two bills for October, made out in two amounts. I do not remember, but I think there were two items for October; one was paid December 12th.

Q. When would they be presented to the Board?

A. I do not know about that. I never presented bills to the Board; I mailed them to the storekeeper generally about the first of each month.

Q. When was that October bill presented to the storekeeper?

A. It must have been presented there in person, or through the mail, the first three or four days in November; I can not say exactly.

Q. What day in December was it paid?

A. One was paid on December 12—\$949.39.

Q. When was the next one paid?

A. Then on December 20, we were paid \$2,000 on account. That did not pay any particular bill. It was simply a payment on account, of \$2,000, December 20. That was a part payment on our November bill, and the other bill of October.

Q. What was the balance due then, on your bill due at that time?

A. \$925.04.

Q. When was that paid?

A. January 10, 1888.

Q. When was the next account passed?

A. We were paid on February 18, \$2,997.52; that appears to be on account. It does not pay any particular item, but it is on our December account, which amounted to \$3,537.58.

Mr. Howard :

Q. Did that include the \$900?

A. No, that was paid January 19; that squared up the November account. There is an item of \$2,000, December 20, on account, and on January 10 we got the \$900 which paid those two bills. Then, February 18, we were paid that amount on account, which does not pay any particular item.

Mr. Hays :

Q. How much balance does that leave due on your account for December?

A. One thousand four hundred and forty dollars and six cents.

Q. Now, when was the next account paid?

A. The next payment is—well, it is entered on my books March 21st.

Q. Is that the next account you had after February?

A. This is the February account, I believe; it seems there were several bills in several different items in February. I think possibly the way that come was that there were different kinds of coal furnished in February. There is one item of \$666.30 for February, and I see three other items in the same month.

Q. When did you receive the next payment after the one mentioned?

A. March 21st.

Q. Was that on account of the bill dated March, 1887?

A. It is a February bill, dated February 29th on my books; the only bill I see here, made out on the Asylum blank, is the one for \$666.30.

Q. What was the amount paid out that time?

A. On March 21st, \$5,906.84. These checks are the items of that date. I would like to correct that date; it may be

March 19th, but it was not entered on my cash book until the 21st of March. March 19th is the day the payment was made, but it did not appear on my books until two days later.

Mr. Howard :

Q. Do you recognize the handwriting of these checks ?

A. I do not recognize the handwriting of the body of the check. I am not familiar with that. I know the signature.

Mr. Hays :

Q. Do you know anything about that check, Mr. Shepard ?

A. They are the same amount and the same date, and the total of this check is the amount of these two together.

Mr. Howard :

Q. Why were these marked "duplicate?"

A. Because, I suppose, together they are the duplicate of this check, in number, date and amount. They are of the same number, and the two together make this amount.

Q. Was this check ever cashed ?

A. No, sir.

Q. Were these two ?

A. Yes, sir, one was cashed at the Meridian National Bank, and the other went through Fletcher's bank.

Mr. Hays :

Q. Do you know anything about why these checks were made in two amounts ; one for \$2,500 and the other for \$3,406 ?

A. Yes, sir.

Q. What is the reason ?

A. Before we received this money we borrowed from the Meridian National Bank—\$2,500—and pledged the entire account for the payment of the \$2,500, giving an order on Mr. Gapen as Treasurer, and accepted by him, to secure the payment of the \$2,500. We had done that before and have done it since, when the Hospital was not able to pay us in full and we needed the money. My recollection is that Mr. Gapen left the checks at the Meridian National Bank, as he usually did, and notified us that they were there, and that we could settle with the bank. When I went there I found this fixed up in the shape of two checks. My understanding was that it was done for the purpose of paying the bank their \$2,500, and giving us the balance. I gave Mr. Kopp the check for \$2,500 and took up our note for that amount. I endorsed both checks.

Q. Do you know how long you had that money out of the bank?

A. The cash book shows that we got the money March 2d.

Q. At the time you got the money, then, your accounts had not been allowed by the Board?

A. I do not know whether they had been allowed or not; I know they were not paid.

Q. This represents the account, and shows that the money was not allowed until the 8th of March.

A. Yes, sir, that was my understanding of it, that the money would be allowed at the regular meeting of the Board.

Q. You say you borrowed that money because there was no money in the Treasury to pay your account?

A. I do not know; we borrowed the money because we could not get our money from the Asylum, and we needed it. I do not remember what reason was given, but my understanding was that when we were delayed in getting money it was because there was no money to pay the account.

Q. Did you get any information from Mr. Gapen or the Trustees that they had not drawn their January and February monthly allowance?

A. I do not remember of getting any definite information in this case; we were not interested in the proceedings of the Board any more than to know when we could get our money.

Q. Did they give you any reason why the money was not paid you, instead of an order?

A. I cannot remember in this particular case.

Q. What was the only reason ever given you why the money was not paid?

A. My recollection is that the only reason ever given us was that the money was not in the Treasury, the State Treasury, or that the appropriation had not been paid.

Q. Did they always give you a reason why the money was not paid?

A. Sometimes, if we did not need it, we did not ask any checks. We would wait until the money was paid and said nothing about it. This was a case where the Asylum owed us nearly six thousand dollars, and of course we had bills to pay, and this coal represented so much money; we were carrying on account six thousand dollars, and we needed the money.

Q. Who made the arrangement with Mr. Gapen to draw the order?

A. I do not remember whether I did it or Mr. Wasson; of course it was understood by both of us. I never made any arrangement with anybody for money unless Mr. Wasson knew of it.

Q. That arrangement was made because Mr. Gapen could not pay the bill and gave as his reason that there was no money in the Treasury, and that there was no appropriation made?

A. Sometimes. The Board did not meet until the 8th or 10th of the month, and it is usually the second of the month that we issue our bills.

Q. Why was not the money paid in February? This was in January was it not?

A. Yes; a greater portion of that coal was furnished in December.

Mr. Shockney:

Q. What portion of it?

A. About \$4,200, more than enough to cover the amount we borrowed.

Mr. Henry:

Q. The amount of coal furnished in January, that ought to have been paid for in February, would that more than cover the amount you borrowed?

A. Yes, sir. If we had received the money on the January bill, we would not have had to borrow the money; would not have needed it.

Mr. Howard:

Q. I would like to ask you about this check; whether you remember of having received that \$5,906.84 check?

A. I do not remember having seen that check, it never passed through our hands.

Q. Examine the endorsements?

A. There is no endorsement on it.

Mr. Hays:

Q. Is that the canceling stamp of the bank?

A. I do not know; I am not familiar with the Meridian National Bank's canceling stamp.

Q. Referring to your bills for January and February; was there any bill unpaid for want of funds?

A. Yes, sir; we did not get our money on the February account until the 20th of April.

Q. Did you furnish any coal in February?

A. Yes, a large amount.

Q. How much?

A. About \$3,500 worth.

Q. What was the balance due you after you got the \$5,906.84; at that time when you got that money, what was the balance due you?

A. Three thousand four hundred and seven dollars and seventy-seven cents.

Q. When was that paid?

A. Well, it was not all paid at once. There was a payment on April the 20th of \$3,115.27; that left a balance of about \$300.

Q. Did you furnish them any coal in the meantime?

A. No, sir, not in March; we did in April.

Q. After that there was a balance due of some \$300.

A. Yes, sir, after the payment of April 20th.

Q. When was the next payment made?

A. May 17th.

Q. Did that pay the amount in full?

A. No, sir.

Q. What was the balance due then?

A. One thousand three hundred and three dollars and forty-eight cents.

Q. When was that paid?

A. We received another payment June 19th on account, \$2,004.23; that canceled that amount and left a difference on the May bill?

Q. Did that pay the account up in full?

A. No, sir, that did not square up the account in full; it left a balance of about one thousand dollars.

Q. Has that ever been paid?

A. Yes, sir.

Q. When was it paid?

A. On June 30th, together with our June bill, which paid our account in full to that time. The amount was \$1,304.06.

Q. Have you furnished any coal since then?

A. Yes, sir.

Q. Have the bills been paid promptly?

A. Not in every case; it run along in about the same manner that this has.

Q. I observe that the bill for March was presented and there was no affidavit on the last sheet; was that sworn to?

A. I made this out in the same manner that I made them all out. Mr. Hall would leave the blanks, and sometimes he would call for them and sometimes they were mailed to him.

Q. When you mailed the bills to him, who swore you to them?

A. Nobody.

Q. How frequently did you send them to Hall?

A. Not very often, but sometimes he would not call for them and I would mail them to him. I would call him up by telephone and he would tell me to mail them to him.

Q. And when you did this there was no oath administered?

A. No, sir.

Q. This fifty-nine hundred dollar bill—was there any oath administered on that?

A. That does not appear in one bill; that \$5,906.84 is not made up in one item. Those figures were put on there after I had signed the bill. When I sent the bill to Mr. Hall it was just down to here, and those other items were put on afterwards.

Q. Don't he ever see the bids sworn to?

A. I can not say; I remember this: Mr. Hall would sometimes administer an oath and would fix it up, I suppose, after he went back to the Asylum. That was all I ever did, was to sign these bills; and if he was there he swore me to the bills and took them with him, and whatever he put on them afterwards I do not know. He never signed his name to the bills at all in my presence. If he swore me to the bills he took them back with him.

Q. You say that frequently you were not sworn?

A. I will not say frequently, I will say occasionally. I always made the bills out and receipted them; and in a majority of the cases he got them personally, and an affidavit was made to them, but in some cases the bills were mailed.

Q. You put this receipt in at the time and signed it?

A. Yes, sir; that was the only objection I ever had to his manner of having the bills made out.

Q. When you had received that you made a receipt for \$666.30; and you had another receipt over here on the rest of the bill, did you not?

A. Yes.

Q. You had receipted for \$3,900, the sum on that bill, had you not?

A. Yes, that is a recapitulation of these amounts here.

Q. There seems to be a statement of balance of voucher 105, \$1,340.06; you had already receipted for that amount?

A. Yes, sir.

Q. Then this receipt covers the full amount of that bill, after taking off the \$409.04?

A. Yes, sir.

Q. I will ask you if this matter of signing receipts and signing affidavits was not simply treated as an informal matter, of no importance?

A. Well, it was done under Mr. Hall's instructions; I simply did what I supposed was correct in the matter.

Q. Mr. Hall controlled the whole business, and seemed to have authority to have it done as he pleased?

A. Yes, he was the only man we ever dealt with.

Q. You made out your bills as directed, but swore to them or not as he saw fit?

A. Yes, sir.

Q. And receipted them at the time?

A. I objected to that, and said it was not business to sign for money before we got it. He said it was a matter of form and had to be gone through with in that way. I knew we were not running any risk, as it was not probable that we would lose any money through him.

Q. The receipts, then, were not treated as matters of any importance, were they?

A. No, not exactly; as I understood it they were made simply to conform to their rules and their manner of doing business.

Q. I will ask you if that \$1,340.06 is not covered by another voucher, 105, dated February 9, 1888?

A. I do not see where that \$1,340.06 comes in here, it may be on the January account though. There is no bill here of that amount in one item against the Hospital of \$1,340.06.

Q. It says here No. 105?

A. That is their number; I do not know anything about their numbers at all.

Q. How many tons of coal did Mr. Wasson furnish the Asylum in the month of February, 1888?

A. 1,310 tons and 1,900 pounds.

Q. When was the contract made for furnishing that coal?

A. I can not remember that; we kept no particular record of it, except as to the price. We kept a copy of it until the contract was filled.

Q. That is the estimate book from which you made your bid, is it not?

A. I think so, yes, sir. We generally made our bid from this kind of an estimate, gotten up in this shape.

Q. Turn to the page for fuel, and see if there is any estimate for coal at all on that book for that month?

A. It does not show any, no sir. The contract for the month of January may have covered enough coal to have lasted two months.

Q. You did furnish them coal in February?

A. Yes, 1,310 tons.

Q. How much during the month of March, 1888?

A. We did not furnish any in March.

Q. Do you know whether you bid for the contract in that month or not?

A. I do not recollect.

Q. Did you furnish them any coal in April, 1888?

A. Yes, sir.

Q. How much?

A. 606 tons.

Q. What kind was it?

A. 542 tons of Jackson, and 64 tons of Jackson nut.

Q. Is that the estimate on which you were awarded the contract for April, 1888?

A. I suppose so, yes, sir.

Q. What does that call for?

A. 100 tons, more or less, Jackson lump coal.

Q. Had you the entire control of the Jackson coal in this market?

A. No, sir.

Q. Who else handles it?

A. Any dealer that chooses to can handle it. They all handle it more or less, but not in the wholesale way that we do. We have our own mine, and control the output of that one mine.

Q. How much coal did you furnish them in the month of October, 1888?

A. In October, 1888 we furnished them 964 tons.

Q. Is that the estimate on which you made the bid?

A. I suppose it is, yes, sir.

Q. That calls for 400 tons, does it not?

A. More or less, yes, sir. We furnished the coal just as they wanted it.

Q. It was under that estimate, was it?

A. I suppose it was, that was the estimate for October.

Q. Under a contract to furnish 400 tons, more or less, you furnished over 900 tons?

A. Yes, sir. I see that quite a lot of that coal went in on the 2d of the month, and more on the 5th and 6th.

Q. Did you furnish them any coal in the month of November, 1888?

A. I think we did, a small amount. No, we did not furnish them any in November.

Q. Did you furnish them any in December, 1888? I think it was December I was thinking about when I said that date.

A. Yes, sir, we furnished 290 tons in December.

Q. I will ask you if the amount of coal furnished did not always run largely in excess of the estimate?

A. No, sir, I do not remember; in fact, I do not keep much track of the estimate; simply furnished coal when they wanted it, without regard to the quantity.

Q. Without regard to time?

A. We simply put in coal when they called for it.

Q. When you contracted, you contracted to furnish coal in a certain month?

A. That was the way the contract read, I believe. It was a bid, we had no other contract. We made a bid and it was either received or rejected, and that constituted the contract. It was made out on a blank, and read, I think, to furnish a certain amount of coal, more or less, upon the estimate, for a certain month.

Q. Did you not, almost universally, furnish more coal than the contract called for?

A. I can not say that we did.

Q. Do you remember of furnishing less?

A. I think we have.

Q. When?

A. I can not say; I do not say positively, but it is my impression that we have. Whenever they asked for coal we put it in there, without any reference to the amount, or to the month. If we contracted for coal in December, and they called for coal in January, we put it in.

Q. If you contracted for coal in December, and they did not call for any, and then the price went up; would you furnish it in January?

A. We can generally figure on the price of coal, and if the price went up it would not amount to much. We could make a contract for six months ahead on Jackson coal, at a certain price and fill it. We have yearly contracts with some contractors, and fill them every year, because we have our own mine. If we had to buy from other parties, of course we could not do it.

Witness was excused.

Committee adjourned until 1:30 P. M.

MONDAY AFTERNOON, March 4, 1889.

Committee proceeded with the taking of testimony.

Mr. J. S. Hall being duly sworn, testified as follows:

Examined by Mr. Henry.

Q. State your name and business?

A. J. S. Hall; Steward of the Insane Hospital.

Q. How long have you been there in that position?

A. It will be six years the 6th day of this coming July.

Q. Where did you reside and what was your business prior to that?

A. I lived in Harrison County.

Q. What was your business?

A. Superintendent of schools; on coming here I was County Superintendent.

Q. Who obtained that position for you at the Hospital?

A. Well I had quite a number of names of persons; the State Superintendent was one, whose recommendation I still

have ; Dr. E. R. Kohn, an intimate friend and Ex-Secretary of State, I have his recommendation ; and the Congressman from our district, and others.

Q. Who was on the Board at that time ?

A. The present Board with the exception of Mr. Burrell.

Q. Had you any acquaintance with any of the members of the Board ?

A. Well, not much, very slight.

Q. With whom ?

A. I had met Dr. Harrison probably once or twice, but was not acquainted with him.

Q. Where did you meet him ?

A. In the city here.

Q. Had you ever had any business relations with him prior to that ?

A. No, sir.

Q. With any of the members of the Board ?

A. No, sir.

Q. You have been there continuously from that date ?

A. I have never been away but twice in the six years I have been there.

Q. When was that ?

A. I think, if I am not mistaken, it was this January a year ago, and I returned the following March.

Q. How long were you absent this time ?

A. I think I left the city at 4 o'clock Saturday, and returned on Monday night ; I think it was on account of the sickness of my mother.

Q. Are you a married man ?

A. Yes, sir.

Q. Where does your family reside ?

A. My wife is with me ; I have no family except her.

Q. Is she employed there ?

A. Yes, sir, she is, as a clerk, the same length of time that I have.

Q. What salary does she get ?

A. Twenty dollars a month and expenses.

Q. What is your salary ; what was it when you came there ?

A. One hundred dollars per month as Steward.

Q. What has it been since you have been there ?

A. \$100 a month.

Q. And your board?

A. Yes, sir.

Q. You may now state to the Committee what your duties are, as such officer.

A. I have charge of all the stores and supplies that may be there, and have charge of ordering and receiving supplies. I have charge of the farm and see that it is properly taken care of and of the garden, and I assist the Superintendent in anything that he may require, except the treatment of patients.

Q. Were these your duties when you first entered the Institution?

A. No, sir.

Q. What change has been made?

A. I was first employed in the Superintendent's office for the first five months.

Q. Who was the Superintendent then?

A. Dr. W. B. Fletcher of this City.

Q. You was in his office?

A. I was in the office with him five months before taking the position I now have.

A. And your position and its duties have been the same since then?

A. No. I was his Secretary the first five months, since then I have been holding the present office.

A. Did you testify before the investigating committee appointed by the last General Assembly?

A. Yes, sir.

Q. Who assists you in receiving the goods?

A. Well, I have a man by the name of Mr. Hyde who is with me all the time; and then I have another young man by the name of Wilhelm who is the clerk and bookkeeper, who is with me all the time; then some boys who help in the way of lifting and taking goods in and out. They are laborers.

Q. Relate to the Committee how you receive goods; in what way, and what you do with them when you get them there to the Institution?

A. Well, frequently they come by the car load, and part of the time by wagon load. The first thing when a wagon load of goods comes we put them on our scales and weigh them. If the bill of weights is properly made out we receive them, put them into our store room and cellars; and if they are not the proper quality and quantity we reject them.

Q. What is the proceeding, then, if you reject them?

A. We do not receive them; send them back. I notify the parties by telephone that there is a load of something I can not take, and it is immediately returned, and probably the same day a different load of things is sent. It may be something that does not require a wagon; perhaps just a package.

Q. Has it been your custom to weigh coal delivered there?

A. Yes, sir; if possible to do so.

Q. Can you give an instance when it would be impossible?

A. Well, it is frequently the case that cars are too long for the scales that we have. On that account all coal men, as a general thing, in trading with the Institution, have it understood that their weights are to be taken. The different machine shops, such as the Atlas Engine Works, take dealers' weights. We weigh coal where it is possible to do so.

Q. Notwithstanding that rule?

A. Notwithstanding that rule, we have weighed them.

Q. When a car is too long?

A. We have cases of that kind; some cars are. For instance, a certain class of cars, the cars of a certain road; in those cases I have gone to the railroads. The way I determine that is to get a car of the same kind and have it weighed. I then say on the face of the receipt that it was the same kind of a car and the same weight. There have been instances when I have tested it that way.

Q. About how much of it would you weigh, that came in on the cars; that is, how many cars; one-half?

A. Yes, sir, I would say that much.

Q. In what other way was coal delivered there?

A. There was no other way.

Q. In receiving contracts what was your method?

A. When we put out our bids we have samples, and these are arranged so that the bidders can not misunderstand what we want; and when the goods are delivered we compare them with the sample, if a sample was needed, and if the brand and the sample show all right, the goods are received; and if not, they are returned. We have a thoroughly posted lady in the sewing room, who would examine the goods, and she would say to me, these goods I want, or, these are the brands, and, with her assistance, the goods were examined.

Q. Have you been accustomed to rejecting dry goods very much there?

A. Every once in a while dry goods are rejected, yes, sir.

Q. From what firm were these rejected goods?

A. In this city we have only two large firms; I believe there is a third wholesale house; but these two firms have been mostly supplying us; Murphy, Hibben & Co., and D. P. Erwin & Co.

Q. From which one do you receive the largest amount?

A. It is about evenly divided, I think; I will not be positive about that, but that is my recollection.

Q. What firms have you rejected goods from?

A. Both of them.

Q. How frequently?

A. Well, some items almost every month.

Q. Do the bills that they rendered show the reduction?

A. Probably not in all cases, from this fact: say they would send a certain kind of dry goods, and we would say this is no account. They will say to send it back in the wagon and they will send us something that is in a car; we would just hold it until they would send the other goods.

Q. Well, why would they make these mistakes in sending goods? Were your orders not definite, and were they not capable of reading orders?

A. I would answer that in this way: As to the firms, I certainly think that they are excellent houses, both of them; and it may have been my mistake in rejecting an article from this fact: they would say, here is an article that is the same price and the same value as quoted by the mills, and that being the case I have sent this brand, because it is of the same value in my opinion. We want to furnish you equal value. But for a long time after I went to the hospital I would hold them to the brand, because I knew if we got the brand we called for we would have the value as to the estimate. If they sent some brand I did not call for, I would not know if it was equal in value, and I would not take it on that account; and I have sent back goods that I think were equal in value, but not according to the specification.

Q. You afterwards relaxed your rule?

A. I have done that because I am better posted as to the quality of the goods. If one of the wholesale firms sends me a

bill of goods and says, here is a price-list, and they are of the same value, I feel safe that we have the value of our goods. We have been more lenient recently in that direction, when we know as to the quality, and the ladies in the sewing room know the same thing and are satisfied with the style and color of the goods, and were satisfied that the brands were of equal value. We have not been so rigid in that particular.

Q. Have you ever rejected goods there on account of their quality being defective?

A. Yes, sir.

Q. How often have you done that?

A. I do not know how often; several times.

Q. What would be the matter with the goods?

A. Well, there have been some few instances where the goods, though of the quality and brand called for, looked like they had laid in the store too long; but it has been very seldom—probably three times in my connection with the Institution.

Q. What house were these goods from?

A. Probably both.

Q. Has there been much complaint about the dry goods received there?

A. No, sir.

Q. What kind of dry goods do you generally use there?

A. Clothing, principally, and dress goods and underwear, and house furnishings, such as sheetings, toweling and articles of that kind.

Q. Have you any idea of how much you purchase in a year?

A. I could not call that to memory just now; it would be guess-work.

Q. That is charged up to the several counties and paid back?

A. Yes, sir.

Q. From whom do you purchase coffees and teas?

A. There are four or five wholesale grocers in the city that bid, and I think it is divided among them.

Q. State their names.

A. H. H. Lee, Geo. W. Stout, A. B. Gates & Co., Schnull & Co., those are the main firms I believe.

Q. You say you have been purchasing from these several firms all the time since you have been there?

A. Yes, sir; these are the main ones.

Q. From which do you purchase the most?

A. That is a question that is hard to answer. I suppose Schnull & Krag in 1887, had the most, while Stout in 1888, had the most; H. H. Lee has had the contract for two months in succession, and for the month of March, Schnull & Co. have the contract.

Q. How are the coffees and teas delivered there?

A. In wagons, and sometimes in car-load lots. If they send it in a car it takes a car-load at one time, that is the sugar and coffee; groceries generally come with sundries, such as tobacco and other things.

Q. How are they received?

A. We take their invoices and weigh each item, and compare their weights with their bills, there at the side track, as the goods may be; if they are short we make it short, if they are more we give it.

Q. Who attends to the weighing and receiving there?

A. The same persons.

Q. Who takes down the figures?

A. Sometimes I do, and sometimes the other party. If I weigh I give the weights to the other man, and if he weighs he gives them to me.

Q. How do the weights compare with the bills?

A. As a general thing it is good.

Q. Do you always weigh them?

A. Invariably; that is the law.

Q. How is the sugar bought?

A. It is bought the same as any other article. It is bought in lots.

Q. How is it delivered?

A. The same way—in the car with the other goods.

Q. In barrels?

A. Yes, sir.

Q. Do you weigh them?

A. Yes, sir.

Q. Where are these articles placed?

A. In the store-room. It is weighed on the car, and is then hauled out and delivered. We can either weigh it there, or take it from the car into the store-room and weigh it on the small scales. As a general thing the goods put into the store-room are weighed on the small scales.

Q These articles are stored in the store-room for distribution?

A. There are some things, of course, that are needed. The Havermeir sugar, which comes in buckets, is generally received by weighing one bucket, and if that is found correct we know the rest is all right.

Q. How much sugar, and how much tea, and how much coffee is used a month?

A. In making that statement I might miss it a little, but I can approximate it very nearly. Our sugar is on an average of ten thousand pounds for one month. I have it on the estimates nine thousand pounds, more or less; so what we want we can get. If we want nine thousand pounds we get it; if we want more than that we get it.

Q. You think it will average ten thousand pounds a month?

A. Yes, I think so.

Q. Is there an estimate for coffee?

A. Three thousand five hundred pounds per month; it will usually exceed that by one or two hundred pounds, but that is the approximate. Tea is 600 pounds in a month.

Q. Do you use as much coffee and tea now as you did a year ago?

A. I think we do; yes, sir.

Q. Do you use any more?

A. I should say we did, at the present time; use more than we did a year ago.

Q. What is the reason for that?

A. In the present year we have increased the diet list, giving them more in quantity and variety.

Q. You feed them better now than you did a year ago?

A. I may say that we do.

Q. Or do they eat more?

A. They eat it because they get it, and because they want it.

Q. Did they not get enough a year ago?

A. Well, I would hate to say that. I am free to say that we give them more; but whether they got enough a year ago—they got enough of some things. I do not want to cast any reflections on the rule of a year ago.

Q. We want the facts?

A. That is the way with me; what I want to convey is that we are giving them more.

Q. Did they get enough a year ago ?

A. Yes, sir, of some things.

Q. Of all things ?

A. All of the things we are giving them now, or have increased, of course we did not give them a year ago.

Q. What has been the increase over a year ago ?

A. I think mainly in fruits and potatoes, and in other things; meat, lard, eggs, butter and poultry.

Q. More tea ?

A. The tea I think will average more than it did in 1887; but it is a great deal less than it was in 1883. They used 900 pounds in '82 and '83, and 700 in '87 and '88. The fiscal years of 1882 and 1883, they used a great deal more beef than in 1887 and 1888. I go upon the records.

Q. What about coffee; I believe you said there had been an increase in that ?

A. I think there is, yes, sir; a little increase in coffee.

Q. How often do you give coffee a day ?

A. On an average of at least two or sometimes three times.

Q. What was your custom of a year ago ?

A. It was not that much. I had occasion to make a comparison of the years of 1882 and 1883, and 1887 and 1888; and we have probably used more coffee with the proportion of patients in those years, but while they used more of some other article.

Mr. Howard :

Q. More per patient or more in the gross ?

A. More per patient; we gave more of it and more frequently.

Mr. Henry :

Q. Can you think of any other article of which they used more than they did a year ago ?

A. No, sir; I think it is mainly in fruits and things of that kind.

Q. Do you use more milk ?

A. Yes, sir.

Q. How much more ?

A. That has been increased, I should judge, without reference to the records, a third since 1887, perhaps not that much, but a great deal.

Q. Would not that, necessarily increasing so much the use of milk, decrease the use of tea and coffee?

A. No, sir, I do not know that it would, from the fact that the increase in the use of milk is on account of making more soups and gravies, and using more oysters. I do not think we have decreased the use of coffee on account of the increase in milk. We give them more milk to drink.

Q. Would not the drinking of more milk decrease the amount of coffee and tea used?

A. No, sir, I think not, as we have given it. The fact that we give it to them in gravies and soups and oysters, and things like that, does not decrease the amount of tea and coffee.

Q. Are you using more oysters now than you were a year ago?

A. Yes, sir, at least more in the last two years of 1887 and 1888 there was more coffee, milk and oysters used.

Q. Then you are not using more for oysters than you were a year ago, are you?

A. No, not in that one particular alone.

Q. It would be in soups then?

A. Yes, sir, and in drinking.

Q. How about the use of meats?

A. The use of beef is not so great in the last two years as it was formerly.

Q. It has been much cheaper than formerly, has it not, during the last two years, than for a long time?

A. I would hardly think so.

Q. Do you not know that beef is cheaper now than for a long time?

A. Sometimes it may be higher, and sometimes lower, the average for 1888 is not much lower. We have been paying $5\frac{1}{4}$ and 6 cents for quite a while; it may be a little cheaper.

Q. Why do you decrease the use of beef when you increase the diet?

A. Because they like other articles better and ask for them more frequently.

Q. They like oysters better?

A. They do, and eggs; to illustrate: They just this morning asked me to get more eggs; that the patients want them. We are using more eggs than before.

Q. Are you governed by the demands of the patients, or by the instructions of the physicians?

A. I would answer that by saying both. To illustrate: I eat my dinner with a patient to-day, and we talked over that. I told him I had to explain to you the number of eggs we used, and he said: "I would like to testify to that myself. We never got enough when I was on the ward, and we ought to have more." And I will state, that if I had it in my power I would make it a third more of the things they want. To illustrate what I mean: I gave out eggs last Friday to the amount of 360 dozen, and if I had it my way I would do it on Wednesday, because they ask it and want it, and I think they ought to have it.

Q. Do you not use more eggs in the spring and summer time when they are cheaper?

A. No, sir, I do not think we do.

Q. It does not make any difference about the price?

A. I think we use more in the winter. When we have plenty of garden products we cut down our expenses in that way, by using vegetables.

Q. You may state how you receive the produce there.

A. Everything that is received is received in the same way, and taken in and weighed.

Q. Do you weigh eggs?

A. No, sir. I meant by that, that everything that should be weighed is weighed, and everything that should be measured is measured, and everything that ought to be counted is counted.

Q. You do not count all the eggs that come in?

A. No, sir. We see that the crate is full, and receive them in that way.

Q. How often during the month do you receive eggs?

A. On an average of twice a week likely; that often and sometimes more.

Q. Why do you receive them twice a week and only use them once a week?

A. I do not wish to convey the impression that we only use them once a week; there are eggs used there every day in the week.

Q. What are they used for?

A. They are used in some dining-rooms every day, while on Friday they are used in every part of the houses.

Q. How are they issued at any other time of the week except on Fridays?

A. On other days, we give to one to-day and to another to-morrow, and then for the cooking purposes for the other dining-rooms and kitchens.

Q. And you think you have received them once or twice a week?

A. We received them twice a week.

Q. How often do you receive butter?

A. Well, two or three times a week, or more.

Q. Do you weigh that?

A. Yes, sir.

Q. Do you weigh all the butter that is brought there, or that has been brought there?

A. Yes, sir; every pound of it.

Q. How was it brought there, and how was it packed?

A. In firkins, 50 and 60 pounds.

Q. Has there ever been any complaint about the butter brought there for the use of the Institution?

A. Yes, sir; some.

Q. Has there not been a great deal during the time you have been there?

A. When I went there six years ago they were complaining about the butter, and of course there has been some little since then.

Q. Has there not been considerable since then?

A. Every once in a while.

Q. Has there not been considerable complaint about the kind of butter that Mr. Sullivan has furnished to the Institution?

A. At times, yes sir.

Q. When, and to whom was the complaint made?

A. Sometimes to one, and sometimes to another. Sometimes they would make it to me, and sometimes it would be returned from the kitchens.

Q. What would you do when you learned of complaints like that?

A. As a general thing it was returned.

Q. What did you do, investigate it?

A. Yes, sir.

Q. As a general thing it was returned, you say; how frequently have you returned butter furnished in the last year?

A. I do not know the exact number of times, likely a half dozen or more.

Q. What was the quantity returned?

A. Sometimes a tub and sometimes two or three tubs.

Q. How much would they usually bring out at one time?

A. From 200 to as high as 1,200 pounds.

Q. How much does a tub hold?

A. 56 to 60 pounds.

Q. So it would be a different kind of butter when you would return a tub, would it?

A. Yes, it might be a different kind or a tub that we would consider poor butter.

Q. Did you examine all the butter brought there, then, at that time?

A. Most of it; sometimes when I was not present my assistant would take it in.

Q. When it was brought there it was always weighed?

A. Yes, sir.

Q. And examined?

A. Yes, sir.

Q. And tasted?

A. Yes, sir.

Q. And if found bad, it was returned?

A. Yes, sir.

Q. Where would these complaints come from, that you spoke of a minute ago?

A. I would receive them in two or three different ways; sometimes from one of the attendant physicians, sometimes from the Superintendent, and also, from the ladies in the kitchens.

Q. You say you would examine it, and if it was bad you would return it; and that it would sometimes be returned to you from the kitchens; that was after you had examined it and taken it in as good?

A. We might have taken it in and it became bad in a day or two. We might have set it down and left it for two or three days, and when it became older and got warm, it became bad, and we had to return it on that account.

Q. That would not be the fault of the men who furnished it, if it was good when you took it it, would it? You would not return it on that account?

A. It was not always returned on that account.

Q. So you think you have returned butter several times in the last year, purchased from Sullivan?

A. Yes, sir.

Q. Who has furnished butter for the Institution in the last year and a half, besides Mr. Sullivan?

A. Mr. Jordan, I think, furnished once or twice, and I think Mr. Budd once.

Q. Who usually furnished the best?

A. I would answer that by saying it was all about alike.

Q. Was there not any preference for the butter furnished by Mr. Jordan?

A. Preference?

Q. Was it not liked better than the butter furnished by the others?

A. I do not know that it was. Mr. Jordan has the contract for this month, and I think the goods are about on an average with what we have been getting, no better and no worse. He made us a delivery yesterday of poultry and eggs, for this month, commencing to-morrow, on his contract for poultry and eggs.

Q. You have not been able to distinguish any difference between the butter he furnished and Sullivan's?

A. I would say, no; we have returned goods received from him also.

Q. Were you not more particular as to his goods than Sullivan's?

A. I have not been, for my part.

Q. As to any body else's part?

A. I hardly know how to answer that; we may have been.

Q. Were not complaints suppressed and not permitted to be made against Sullivan's goods, and was there not a preference shown to his goods?

A. No, sir; no complaints have been suppressed to my knowledge.

Q. Were all persons permitted to complain freely about the goods furnished there by him?

A. Yes, sir.

Q. Do you know that?

A. I may say, so far as I know, any person has the right to complain that wants to.

Q. And there was no discouragement of complaint against Mr. Sullivan's goods?

A. Not to my knowledge.

Q. Was there not more freedom in the finding of fault with Mr. Jordan's and Mr. Budd's goods than Mr. Sullivan's?

A. No, sir; I think not.

Q. You think the persons about the Institution could complain and find fault with Sullivan's goods as freely as with those of the others without fear of the consequences?

A. I do.

Q. Was there any preference shown to Mr. Sullivan in the Institution in the way of receiving goods?

A. No, sir.

Q. In any way?

A. No, sir.

Q. In the buying of goods?

A. I have nothing to do with that.

Q. Well, in paying for them he always received his money?

A. Yes, sir.

Q. Did he not receive it the first one?

A. He got it monthly.

Q. Did he not get his check first, about the first one that was paid?

A. He got his pay about every month.

Q. He never had to run over?

A. No, sir.

Q. Who made out the checks?

A. They are made out in my office.

Q. Who filled them out?

A. The book-keeper that works with me.

Q. Did he do it under your supervision?

A. Well, we worked together. As to what accounts are allowed, we have our vouchers all ready, and that is directed by the Board. If we make out a list and they want to revise it they do so.

Q. What quality and quantity of eggs did Mr. Sullivan usually deliver there?

A. We used on an average of probably 5,000 pounds of butter in a month.

Q. I mean eggs.

A. Probably 2,700 or 2,800 dozen.

Q. I see last November, I think it was, you used nearly 4,700 dozen of eggs.

A. I was giving the yearly average. It might have been that month.

Q. Was that amount used in one month?

A. Are you certain that there was that much bought?

Q. I think that is it. Can you explain why so many were used last November, 4,700 dozen? About 2,000 dozen more than in December?

A. Of course there are months in which we use a great deal more.

Q. Then explain why in November you used so many?

A. I can not recollect now the circumstances why; there are months, however, that we use more. We used more in December, probably, than for quite a while before.

Q. You used in December about 3,000 dozen of eggs, and in November, 4,700 dozen; can you explain why you used so much more in November than in December?

A. I certainly think there must be an error, as to our purchasing that many in November; we may have used that many.

Q. There might have been a good many rotten ones?

A. I can not remember that there were.

Q. Was there no complaint that month about rotten eggs?

A. No, sir.

Q. Is there never any complaint?

A. Once in a while, but not a great many are received. Every once in a while there is some complaint.

Q. Then you think it is a mistake about your using that much in November?

A. We might have used them, I say; but the average was about 2,700 or 2,800 dozen the year around.

Q. You were there in November?

A. Yes, sir.

Q. Then did they not use them more than once a week, all around?

A. In the month of September, the present Superintendent increased the diet list, and I think that would make it a

great deal more ; I do not know how much more, but it was a great deal more than we had formerly used.

Q. Who makes out these supply books ?

A. I do, with the help of the heads of the departments.

Q. When he increased the diet list did you increase the requisition ?

A. I do not remember as to that.

Q. What book is this ?

A. That is for the month of October.

Q. You say there was an increase made in the diet at that time ?

A. I think that was the month.

Q. What amount of butter did you make out in your requisition ?

A. Four thousand pounds of butter, 2,000 dozen of eggs, 1,200 pounds of chickens.

Q. There was not much increase in the requisition, was there ?

A. As to those articles, it is a kind of stereotyped plan ; I say more or less. I may have increased some things, but I do not believe I increased any. We made it more or less, and left the specified quantity as it was.

Q. In the next month I see you have increased it to three thousand, for the month of November ?

A. Yes, sir.

Q. I see, also, 1,500 pounds of turkeys for that month.

A. Yes, sir ; that is what they called a Thanksgiving allowance.

Q. So, in this month you increased it to 3,000 dozen eggs ; explain why you increased the requisition ; you say it was more or less anyhow, and that it was a mere matter of form ; why was it that you changed your form then ?

A. Well, we saw when the diet list began to increase that we have to get more meats and butter and eggs and other things in proportion.

Q. Did you get more chickens than the month before ?

A. I think the same amount.

Q. Did you get the same of butter ?

A. I think may be more, in November.

Q. Do you not get 4,000 pounds every month ?

A. That is continuous ; we get about the same amount every month.

Q. Can you explain why 4,700 dozen eggs were used in the month of November, in that institution ?

A. I explain that by saying they were ordered. We were ordered to fill the list as the Superintendent directed, and we filled the orders from the kitchens ; he wanted the diet list increased, and increased the eggs and meats.

Q. Why did you not continue it in the following months, in December and January, if he told you to increase it ?

A. After starting into it, and noticing the increase, he may have said we might try it on a little less. In answer to that I will say that for the present month, February, it will run about as high for that class of goods, as the month of December or January.

Q. How will it compare with November of last year ; that is, this month, February, in the use of eggs ?

A. We will use about 3,800 dozen this month, probably exceeding that ; and in the month of March we will use probably more than that, may be a great deal more.

Q. I will ask you if, in the early summer and spring you do not use more eggs, I mean in the past ?

A. If we follow our table list, we will probably use over 3,800 dozen.

Q. Heretofore, you have used eggs when they were higher, and increased the use of them when they were lower ?

A. I have not observed as to that.

Q. Eggs are higher in the fall and winter than at any other time, are they not ?

A. They are lower now than last winter. Permit me to make the following explanation ; I stated that the month of February would probably be as great as the month of January and December, that is, the expenses of the month. For January it was \$2,371.00 ; for this month, with three days less, you will find it \$2,008.20.

Q. You commenced using the eggs on the 2d day of February ; the eggs were delivered on the 2d ?

A. Yes, sir. Now, to compare properly ; this month having 28 days you would add one-tenth, you would then have it with the January estimate and you would find it to be about the same proportion.

Q. What is the price paid this month for butter, as compared with last month?

A. The same price.

Q. How is the price of eggs, as compared with last month?

A. They are cheaper; I forget whether 3 or 5 cents.

Q. The amount here is \$2,008.20?

A. Yes, sir.

Q. I will ask you, why there was so much more of these eggs used in November than there was in the month of February?

A. Simply because we have to obey orders; we were ordered to buy the eggs.

Q. That is the only reason you can give?

A. Yes, sir; our requisitions are for more or less, and if the Superintendent and his staff demand more, I get it and fill the orders.

Q. Are these all the check books you have?

A. Yes, I think they are.

Q. You will please find the check books for November and December, 1888, and January, 1889. Have you a check book for December, 1888?

A. Yes, sir; I brought everything you ordered; it is certainly here.

Q. Have you had a check book where the checks were numbered?

A. Yes, sir.

Q. Has it been your invariable custom to have a check book and to number the checks?

A. Yes, sir.

Q. Have you any checks out that are not paid?

A. Mr. Gapen, the Treasurer, does the paying, you know.

Q. Are you holding back any checks that are not paid?

A. I had some that I gave to him; I can give you the numbers of them.

Q. What are they?

A. At least I kept a copy of them; it is either in this pocket-book or at home. I have—

No. 23, Feb. 7, 1889.....	\$10 00
No. 15, Feb. 7, 1889.....	284 65
No. 94, Feb. 7, 1889.....	469 80
No. 95, Feb. 7, 1889.....	913 03

- No. 25, Feb. 7, 1889..... \$23 40
 No. 28, Feb. 7, 1889..... 58 29
- Q. When did you give them to Mr. Gapen?
 A. Saturday or Sunday, I forget which.
- Q. What are they for?
 A. No. 23 is Wadham's Grease Company \$10 00
 No. 15 is Curwin, Stodard & Brother..... 284 65
 No. 94 is Booth Packing Co..... 469 80
 No. 95 is C. G. Gardner..... 913 03
 No. 25 is M. Hartman 23 40
 No. 28 is Kruse Bros. & Shaylor..... 58 29
- Q. Have you any other check issued prior to that date?
 A. I have one check, I forget the date, but it was signed quite a while ago. It was sent to the party, but was returned to me. It was for a small item of flowers purchased by our floral gardener. I called his attention to it, and he said to keep it until I heard from the party.
- Q. How much was it?
 A. \$40.10; we are holding it subject to the orders of the party.
- Q. Have you any other check?
 A. No, sir.
- Q. Have you all the checks in your possession that are not delivered to the persons to whom they are entitled; are you a proper custodian of them?
 A. After the meeting they give me the checks to take around; and I deliver them as soon as I can get them out.
- Q. Do you know any thing in reference to Gardner's?
 A. Yes, sir, I just read his name.
- Q. How much is his check?
 A. \$913.03, I think.
- Q. You gave that check to Mr. Gapen on yesterday?
 A. Yes, sir.
- Q. That was written February 7?
 A. That is the date of all of them.
- Q. It was dated at what time?
 A. February 7.
- Q. Why was that withheld from him so long?
 A. The reason is that on the 22d or 23d day of this month I was giving out checks as usual to the business men of the city, and there was a business firm telephoned me that they

had presented a check to the Meridian National Bank, and that it was not honored. I immediately called up Mr. Gapen, and told him that the check had been presented and not paid, and that he must get those others and that I did not understand it. He said that could not be and that he would straighten it out in the morning; and this Gardner check was one of the number. I had it at that time, I think it was the 22d or 23d of this month, that I got that telephone. He said "that can not be, it must be wrong. I will straighten it out in the morning and you can get the money in the morning." He then got into this trouble with the bank and left these checks in my possession. I think the amount is \$1,957.17.

Q. These checks have been in your possession how long?

A. They were drawn ten days after date, and were due the 17th or 18th, and I commenced giving them out then. I was sick in bed before that, but it was about the right date that I commenced delivering them when I heard of this application. I kept calling his attention to the matter until he took them himself.

Q. Did not the parties get them; these checks?

A. Mr. Gardner telephoned me that he would like to get his. I explained the matter to him, and he said all right, that he would wait.

Q. He said he would wait? What excuse did you give him for not delivering them?

A. I told him there was a controversy between the bank and Mr. Gapen, about which I knew nothing, and that I would give the check to Mr. Gapen, and that he would see about the payment.

Q. Did he want the check at that time?

A. No, sir; he did not urge it.

Q. He has never been paid?

A. No, sir.

Q. Nor any of these checks?

A. No, sir.

Q. Amounting to something over \$1,900?

A. Yes, sir.

Q. Are there any other checks or bills remaining unpaid, other than what is here taken from your books; is there any other date prior to that time that is not on this list taken from your books?

A. Not that I remember. I think I have vouchers for all of those.

Q. You think there is nothing that is not on that list, except those items spoken of, for which you have delivered the checks to Mr. Gapen?

A. There are a good many of those that go in at the next week's meeting.

Q. The amounts shown here for February 1, 1889, is \$17,694.98.

A. February 1, yes, sir.

Q. Does that include the nineteen hundred dollars and something for which you have given the checks to Mr. Gapen?

A. Yes, sir, I think that is right.

Q. You state that there is no debt against the Institution prior to that date and these accounts, except the amount you spoke of?

A. So far as I know, no, sir.

Q. There is nobody that ought to know more about it than you, is there?

A. No, sir. If there is anything wrong I do not know it.

Q. Returning to the question of butter, what amount of butter did you say you used a month?

A. I think about five thousand pounds.

Q. What does that statement of Mr. Budd's show?

A. If I have made no mistake the total is 4,439 pounds.

Q. How much did Sullivan furnish in January?

A. Five thousand six hundred and seventy-nine pounds in January, 1889; in December, 1888, 5,932 pounds; in November, 1888, 6,032 pounds.

Q. Can you explain why you used so much in those three months and so little in February; in January there is 1,200 pounds more of butter when Sullivan furnished it?

A. Well, this is February, and that is three days less, and if you put one-tenth to that it makes 4,882 pounds that was bought.

Q. How much was furnished by Sullivan in January?

A. It was 5,490 pounds, just 1,000 pounds more.

Q. How many days is covered in February by Budd's bill; from the second until the end of February, was it not?

A. Yes, sir, it started from the second and goes to that date.

Q. How many days does the Budd bid for butter cover?

A. The entire month from the second, 28 days.

Q. And, then, on the last day, did he deliver 706 pounds of butter?

A. Yes, sir.

Q. It does not cover but 26 days, does it?

A. Twenty-six days.

Q. How many days does Sullivan's bid for January cover; it commences with the 5th and ends with the 29th?

A. Yes, sir.

Q. Does it not cover two days less than Budd's?

A. Yes, sir.

Q. Then your extension of the ten per cent. additional for the two days, would not account for that increase, would it? Was not Budd's account for February more than 1,200 pounds less than Sullivan's account for January, and covering two more days?

A. I have not figured it just that way.

Q. I mean the amount in pounds; in other words, did not Sullivan furnish, from the 5th to the 29th of January, 1,200 pounds more of butter than Budd from the 2d of February to the 28th?

A. It may be, I have not made the calculation.

Q. Explain why you used so much more butter there in the Institution when Sullivan furnished it, in January, than you did in February when Budd furnished it?

A. I do not understand how that was; our issues were about the same.

Q. There has been no occasion for the increased use of 12,000 pounds more of butter, has there?

A. In January it was greater.

Q. I understand it was 1,200 pounds greater?

A. You will find the January months greater, because that includes the Christmas month, when we use more.

Q. Did you not just now say to Mr. Henry that there was no change in the use of butter between January and February?

A. Nothing more than the ordinary changes; of course we get more of everything in January.

Q. Commencing with the 5th of January, Christmas is over then; was there any increase in the ration of butter used, over the month of February; was there any occasion in the hospital, and has there been, for the amount of butter used there,

commencing with the 5th of January, being larger than the amount used commencing with the 2d of February, for the same number of days?

A. So far as I am personally concerned, I fill the orders as they are given me to fill them.

Q. I am asking if, in your own knowledge, there is any occasion for using more butter in January than in February?

A. I can not say whether there should be.

Q. Has there been; you issued the rations did you not?

A. I am one of them.

Q. You are the chief book-keeper, store-keeper and steward, and if there is anybody on earth that ought to know that, you ought to know it, ought you not?

A. Yes, sir.

Q. Well, do you know any reason why the butter used in January was greater in amount than the butter used for the same number of days in February?

A. I do not know why, except that you might take all the other months and show the same thing. Such a thing might occur in this way; at the close of a month we always take in 700, or 800, or 1,200 pounds for the succeeding month.

Q. Well, you did that on this bill for February, did you?

A. There was 708 pounds.

Q. That went over to the March butter, in other words; the amount you drew on the 29th of January was just 200 pounds more than what you drew on the 28th of February. Has there been a reduction in the amount of butter used since the 29th of January?

A. When we began, I do not remember the amount we had on hands, probably we had 1,200 pounds; if we had 1,200 pounds on hand—

Q. When you began, when?

A. This month.

Q. If you had 1,200 pounds on hands the 1st of February, did you eat it all the first day?

A. No, sir.

Q. Would you make a requisition on the 2d until the butter was all gone? I see on the 2d day of February you made a requisition and got from Mr. Jordan 345 pounds of butter, and on the 9th, 465 pounds. On the 2d you drew 345 pounds.

A. Sometimes that is done to make up a load from the city. We may have ordered 180 dozen of eggs, and the driver would say he wanted to make up a load, and as we have an arrangement to get goods more or less, and have a place to keep these goods, we would tell him to put in so much butter to make up the load.

Q. Did you do that for February?

A. Yes, sir; we had butter on hands, probably 1,200 pounds and probably more.

Q. How much butter would you use, Mr. Hall, in one day?

A. About 170 pounds; I think I am correct about that.

Q. I see on the 26th of January, you drew 589 pounds of butter. How much of that was left on the 29th?

A. Probably two-thirds or more, nearly all of the last delivery.

Q. On the 29th of January, I see Sullivan furnished 928 pounds. How long was that before Sullivan went away?

A. I do not remember the day; it was about that time.

Q. Was that the day he made his assignment?

A. I do not remember.

Q. Was it not after he made his assignment?

A. I could not tell as to the date; I do not remember when he left.

Q. If you had two-thirds of the butter on hand on the 26th, why did you get more on the 29th?

A. We do that with various articles, from the fact that we want to keep a certain quantity on hand, as it often happens that they can not deliver things when we want them, we have to give them time.

Q. You had all the butter drawn on the 29th, and three-fourths of that drawn the 26th, still on hand in February.

A. We used from the 29th of January until the 2d of February on the 1,200 pounds.

Q. When you got this butter from Budd, you had about 1,200 pounds of Sullivan's butter on hands?

A. Yes, sir.

Q. How do you remember that?

A. Because we frequently have that in various articles.

Q. You recollect that at that time you had that much of Sullivan's butter on hand?

A. Yes, sir.

Q. Why was it, that if you had so much on hand you got more on the 29th of December, after Sullivan made his assignment?

A. We have a good place to keep the butter, and sometimes instead of bringing out four or five cases of eggs, we permit them to bring a load, as we can keep it and will need it.

Q. How many eggs do you use a day?

A. In the month of January, 98 dozen daily.

Q. If you got 300 dozen on the 26th of January, you were not out of eggs on the 29th, were you?

A. I do not remember exactly; I remember of ordering the eggs that we did not have enough.

Q. You got 300 dozen on the 26th of January from Sullivan, did you not?

A. Yes, sir.

Q. Then it was not because you wanted eggs, and took butter to make up a load, that you got the 6,900 pounds on the 29th?

A. No, sir; we were not out of eggs.

Q. But you never got out?

A. No, we never did get out.

Q. Then it was not because you were out of eggs that you took this butter, that Sullivan might make up a load on the 29th?

A. We ordered sometimes butter and eggs, and sometimes butter and eggs and poultry all together.

Q. As I understand you, your explanation now is, that you account for the difference of 1,200 pounds in the amount of butter in January and February, by saying that you had 1,200 pounds of January butter on hands in February?

A. I said about 1,200 pounds. It may be a little more.

Q. How much of this February butter did you have on hand on the 1st of March?

A. About 700 or 800 pounds.

Q. Then that would leave a difference of 400 pounds of butter still unaccounted for—400 pounds?

A. As to that, I say that any month we will have 400, or 500, or 600, or 800 pounds of butter, or 100 or 500 dozen of eggs on hand the first of the month.

Q. What do you understand is meant by creamery butter, Mr. Hall?

A. I understand it is a uniform butter, made out of the same kind of milk and made in the same way.

Q. Is there any difference between creamery butter and ordinary country butter?

A. Yes, sir; well there might be.

Q. As to the price at which it sells in the market, is creamery butter lower or higher in price?

A. I think it is higher.

Q. And the contract for creamery butter calls for a little better quality than ordinary country butter, does it not?

A. Yes, sir, than ordinary country butter. The best country butter is about as good as creamery butter.

Q. Is there any difference between creamery butter, and fancy creamery butter, and choice creamery butter?

A. I do not know that there is any. Those terms are sometimes used.

Q. Do you use those terms interchangeably in making out your requisitions?

A. I sometimes do.

Q. Do you mean anything different when you say you want fancy creamery, or choice creamery, or creamery?

A. I mean no difference.

Q. You use fancy creamery butter fresh, and choice creamery butter fresh; do you mean any thing different when your requisitions call for fancy creamery butter, fresh?

A. When I say fancy creamery butter fresh, I mean fresh.

Q. That is, fancy creamery means nothing different from creamery?

A. It ought to mean fresh creamery butter. You will probably find that we use the words fancy creamery butter fresh.

Q. I see in your requisition for March, fancy creamery butter fresh?

A. The word fancy ought to be a sufficient term to use, or the word fresh.

Q. Do you not know that butter is called in the market fancy creamery, choice creamery, and creamery; and that they mean different kinds and qualities at different prices?

A. That may be.

Q. Do you make any distinction in the filling of these contracts whether your requisition calls for fancy creamery, choice creamery or simply creamery?

A. The quality is, on an average, about the same ; in other words, if I were to send to Mr. Jordan for fancy creamery or fresh creamery I would get about the same goods.

Q. You send for whatever the contract calls for, do you ?

A. Yes, sir ; we send that way.

Q. As I understand you, you make no distinction between the different kinds of butter ; that is, butter is butter, whether fancy creamery, choice creamery, or creamery.

A. If we ask for fancy creamery or choice, they bid on it as such.

Q. Have you ever received, since you were Steward, any fancy creamery butter at the Hospital ?

A. We have received what is called that and what the bidders call that.

Q. Do you go by what the bidders say about it ?

A. By what I think it is.

Q. Is the butter received there all of uniform quality ?

A. Yes, sir.

Q. Is the butter received at any one time of uniform quality ?

A. There are times when we get a bad tub or two, and sometimes we reject all or part of the load.

Q. Have you always rejected butter that was not creamery ?

A. I think so ; that is my impression, yes, sir.

Q. How many times, during the time that Mr. Sullivan has been furnishing butter there, have you rejected any of his butter ?

A. I stated, I believe, a while ago, a half a dozen times in the last year.

Q. Was there any one else present when that was returned ?

A. Yes, sir, the Storekeeper once or twice ; that is Mr. Hyde.

Q. How long has he been there ?

A. Over two years.

Q. How long has he been Storekeeper ?

A. All the time since he began with me—over two years.

Q. Was he not there while Mr. Roth was there ?

A. Only a short time before Mr. Roth left.

Q. Mr. Roth has not been away two years, has he ?

A. I do not remember just when he went away, I believe it was in August, 1887.

Q. Mr. Hyde was there before that, was he not ?

A. A short time.

Q. I believe you told the committee how long you have been there?

A. Yes, sir.

Q. How long after the present Board of Trustees took charge, did you go there?

A. I think they began in February or March, and I went there in July.

Q. Were you acquainted with any of the members of the Board before you went there to be employed?

A. I had met Dr. Harrison a few times, but was not intimately acquainted with him. I had seen him.

Q. Where have you seen him?

A. In the city.

Q. Were you acquainted with any of the other members of the Board?

A. Not intimately, I had seen them but was not acquainted with them.

Q. Did you not come here Mr. Hall, during the winter that the bill was passed through the Legislature by which Dr. Harrison was to become a Trustee of the Institution, and remain here for quite a while to try and secure the passage of that bill?

A. Yes, sir.

Q. Did you not come here at Dr. Harrison's request?

A. Partly.

Q. Did he not write you and request you to come and assist in the passage of the bill?

A. Yes, sir; I think I received such a letter.

Q. Where were you living then? Had you known Dr. Harrison before that?

A. Not intimately.

Q. You say he did write to you in Harrison County, to come to Indianapolis and assist in the passage of the bill by which he was to be elected a Trustee of the Institution?

A. Yes, sir.

Q. Please explain it.

A. I was acquainted with the State Superintendent; I was the County Superintendent. There was another matter here that I was interested in.

Q. Did you have any special influence with the members of the Legislature?

A. None, except that I was acquainted with some of the members in that part of the State.

Q. Did you understand that Dr. Harrison would be a candidate if the bill was passed?

A. Yes, I think he wrote me to that effect.

Q. Did you come here at your own expense?

A. Yes, sir.

Q. How long did you remain?

A. Nearly two weeks.

Q. Did you devote your whole time and attention to the purpose for which you came?

A. I was interested in two matters; the other was the county seat question.

Q. Did you meet Mr. Gapen and Mr. Burrell at that time?

A. I was acquainted with Mr. Burrell, but he was not a candidate at that time. That was two years before his election.

Q. You got acquainted with Mr. Gapen?

A. Yes, sir.

Q. He was a candidate then?

A. Yes, sir.

Q. Was it understood that if this Board was successful, you were to get a place out there?

A. Yes, that my application would be considered.

Q. That you were to have an office in the institution, in some capacity?

A. Yes, sir.

Q. Your office as Superintendent had not expired at that time?

A. Not quite.

Q. When did it expire?

A. It expired in June. I came to Indianapolis on the 6th of July.

Q. You came as soon as you could get away, after your term expired?

A. Yes, sir.

Q. What position did you first have at the asylum?

A. I was in the Superintendent's office.

Q. Had you ever had any experience in business of that character at all?

A. Well, there are so many departments there that I do not know how to answer.

Q. Had you ever been a bookkeeper?

A. I had taken a course.

Q. Had you followed the business?

A. No, sir.

Q. What experience had you had, outside of your experience as a Superintendent?

A. None, except as to drugs and sundries in a drug store. I had been a clerk in a drug store.

Q. How long?

A. Six or seven years.

Q. What were your duties in connection with the Superintendent's office?

A. As clerk, taking care of the correspondence and things of that kind. I was there five months and then took my present position.

Q. Who was the Steward when you went there?

A. A man by the name of Stanbury.

Q. What became of him; was he removed, did his term expire, or how did he go out?

A. He resigned on the day that his time was out.

Q. When did you first make the arrangement that you would take charge of the Steward's place?

A. I was appointed by Dr. Fletcher immediately after Stanbury left.

Q. Who else was in the office in connection with the management of the store at that time?

A. L. C. Bell and a young man by the name of Rokah.

Q. Did they remain?

A. No, sir, not very long.

Q. Who took their places with you?

A. Mr. Bell was succeeded by Mr. Roth, and Mr. Bell remained probably six months afterwards.

Q. Now you are the book-keeper?

A. Steward or book-keeper.

Q. When were these rules and by-laws for the government of the Institution adopted by the Board?

A. I do not know how often they adopted rules.

Q. I mean these rules on page 85.

A. They were printed rules, in pamphlet form, and I do not know just when they were adopted.

Q. You ordered the supplies, made out the requisitions, and received the goods?

A. In a manner; yes, sir.

Q. Who was the store-keeper?

A. My first was Mr. C. C. Bell, and then Mr. Roth.

Q. Who is your present store-keeper?

A. Mr. Hyde.

Mr. Henry:

Q. You have frequently found that Sullivan's goods did not hold out, have you not?

A. Yes, sir.

Q. And you have had to correct the bills?

A. I did; yes, sir.

Q. In whose handwriting is that bill?

A. His clerk's.

Q. Whose is this?

A. A young man's in my office; that was done by my instructions.

Q. On the bill I see this: "Difference in weight of butter \$10.20."

A. Yes, sir.

Q. Were the officers of the Institution notified of these deficiencies in weights?

A. As a general thing, I tell them when anything lacks.

Q. Here is one charge of \$44.28?

A. Yes, sir.

Q. In whose handwriting is that?

A. That is his lady clerk's.

Q. These are miscalculations and errors made by him by which his bill is reduced \$28.42?

A. That is mine.

Q. Here is another bill, October?

A. Yes, sir.

Q. This is 54 pounds of creamery butter at 18 cents, \$9.72.

A. Yes, sir.

Q. Here is another bill, May 6, 83 pounds at 21 cents; ten chickens; reduction of \$18.83.

A. Yes, sir. In cutting down his bills it was very frequently in the weight of his tubs. He would call a tub nine

pounds, and when weighed out I would find it ten, and of course I would discount the bill.

Q. Another: Less 48 pounds of butter, \$11.04. What is this?

A. That is a bill of the Superintendent's; he approves all of them.

Q. I see a bill for December, 1887: "Less difference in weight of tubs, 64 pounds, at 22 cents, \$22.64."

A. Yes, sir, I ordered that done.

Q. So you had to correct more than half of his bills?

A. Yes, sir.

Q. How about Budd's bills?

A. This month I have not corrected any of them.

Q. Is not one thing that makes his bill a little higher this month the price you pay for eggs, 10 cents?

A. Yes, sir.

Q. Now, about December: I find that month you have used 5,932 pounds?

A. Yes, sir.

Q. What is this four thousand something for?

A. The month of February.

Q. December is the month in which you had so many turkeys?

A. Yes, sir.

Q. Why did you use so much more butter in December than in February; that was when Sullivan's bill was highest, amounting to more than \$2,800; can you explain that?

A. I shall have to say that I got it under orders. That is a big month and I got it under the orders of the Superintendent.

Q. You say that you ordered a considerable quantity, how much?

A. A Christmas quantity; I forget how much—that is for Christmas.

Q. That is \$9,200?

A. Yes, sir; that is for patients.

Q. I see some whisky, \$32.22; was that for Christmas, too?

A. That is for the patients. That went to the drug store.

Q. Do you usually order whisky separate from the other drugs?

A. In that case we do; it is a special kind, better than the ordinary whisky coming from all drug stores; it is a special kind we call for.

Q. It was not especially for Christmas?

A. Oh, no.

Q. I see a bill for dancing, \$30?

A. Yes, sir, we have a man to come out there every Saturday night to amuse the patients.

Q. Was that for Christmas too?

A. No, that is regular every Saturday night.

Q. Was that the same month you paid for the preaching?

A. Yes, sir; we have a dance on Saturday night and preaching on Sunday.

Q. I see coffins, whisky, dancing and preaching?

A. Yes, sir.

Q. Is the whisky used by anyone else than the patients?

A. I do not know; it goes to the drug stores and is given out as the physicians direct.

Q. You do not think anybody else uses it; does Dr. Thomas use any for his own use?

A. I will say this about Dr. Thomas; we ate at the same table and were together for a whole year, and I never saw Dr. Thomas drunk in my life, I never did.

Q. That is not answering my question.

A. I have never seen him.

Q. Did you ever see him drink any?

A. Yes, sir.

Q. How frequently?

A. Not frequently.

Q. Was it from the whisky of the institution?

A. I do not know.

Q. It was there in his office?

A. Probably once or twice or three times I have seen him take only a dram with persons coming there.

Q. Have you seen any of these members of the Legislature out there drinking whisky?

A. I believe I have, but I can not call their names now.

Q. Were they from the Senate or the House; from the Senate were they not?

A. I have not seen many of them out there. I may say I do not believe Dr. Thomas' whisky was gotten from our drug store.

Q. He has access to the drug store?

A. Yes, sir, but he is not in the same building; he has access to it if he wants to go there.

Q. This whisky was an extra kind?

A. Yes, sir, \$3.50 and \$4 a gallon.

Q. Have you seen any drunkenness about the Hospital?

A. Very little.

Q. Among the employes?

A. Very little.

Q. Who has charge of the drug store?

A. Dr. Jameson.

Q. You say you have seen very little drunkenness. Who have you seen drunk there?

A. Probably some person who had been there before, and came back drunk; some employe who had left or been discharged. About a month ago I saw a person there, who had been employed there, intoxicated. It is very seldom, though.

Q. Have any of the officers of the Institution been in the habit of drinking or becoming intoxicated?

A. I have not seen any of the present officers.

Q. You say they are sober men?

A. I do.

Q. How long since Dr. Fletcher left the Institution?

A. I think it was the last of August, 1887.

Q. Was he in the habit of drinking when he was there?

A. Why, I do not know whether I ought to say he was or not.

Q. Any way you choose.

A. I have seen the Doctor drunk, drinking.

Q. To what extent did he drink; how often was he drunk there?

A. Probably it would be safe to say every week or so; or it might not be that much.

Q. Where did he get the liquor he used?

A. I do not know; it might be his own.

Q. Did he have access to the drug store?

A. Yes, sir.

Q. How much liquor is used there in the Institution in a month or year?

A. Well, they are probably using more now in the way of medicine than they were a year or so ago. We get about twenty gallons, probably, on an average for the entire house.

Q. Was it that last month ?

A. Yes, sir ; for medical purposes.

Q. You say that you have never seen Dr. Thomas drunk ?

A. No, sir ; I have never seen him drunk.

Q. And you have only seen him drink once or twice ?

A. Occasionally, when some friend came out.

Q. Are there any of the officers of the Institution who are in the habit of drinking ?

A. No, sir ; they are not ; there is not an officer in the house that drinks, to my knowledge.

Q. How are the morals about the Institution, and the habits of the people generally ?

A. I call it first class.

Q. Has there been any complaint against the immorality of the employes of the Hospital ?

A. Not that I have heard of ; no, sir.

Q. How long has Dr. Thomas been there ?

A. I believe nine years ; it may be a little more.

Q. Now, about another matter. Do you remember of receiving some hogs, furnished by a man from Jackson County ?

A. Yes, sir.

Q. When Mr. Roth was present ?

A. Yes, sir ; I think he was with me.

Q. How were they received, in what way ?

A. They came in a car.

Q. Who furnished them ?

A. A man by the name of McCormick.

Q. Where did he reside ?

A. Somewhere in Jackson County.

Q. How did you receive those hogs ?

A. We weighed them.

Q. Did you weigh all of them ?

A. Yes, sir.

Q. You did not weigh part of them and find that they did not hold out, and then refuse to weigh the balance ?

A. No, sir ; as I remember I saw something of that statement. It was a contract with the parties ; they were to weigh them at his place. They were two or three or four days in coming up on the train, and at the stock yards—

Q. Were they all weighed then, or one or two or three days before ?

A. Yes, before being sent up.

Q. Which weight did you take, from where they came?

A. I do not remember that; they made the weights about the same as ours.

Q. It is your recollection that there was no difference in the weights?

A. I think not.

Q. Did you weigh all of them?

A. Yes, sir.

Q. Did not you state that you were to take the weights from the other end of the line?

A. I may have stated that.

Q. Is that the kind of a contract you make?

A. I think one of the members of the Board saw the weights, or weighed the hogs.

Q. Then you think you always weighed hogs when you received them?

A. That is my recollection that we weighed all the hogs that came.

Q. It is your recollection that you took your weights?

A. I think the weights were about the same. They sometimes bought them by weight and others in droves.

Q. They were hogs you were buying there for the purpose of feeding?

A. Yes, sir.

Q. How long ago was that?

A. I can not recollect the date; sometime in 1886, I think. It was the second or third time I had received hogs. I do not remember whether it was the last time or not.

Q. You have no hogs there now?

A. No, sir.

Q. You sell the slops, do you?

A. Yes, sir, since we have not had any hogs.

Q. How much do you get for them?

A. Thirty dollars, I think.

Q. For how long?

A. A month.

Q. What else do you sell out there?

A. Well, there is not much of anything.

A. Do you ever sell any bones?

A. Sometimes bones from the kitchen, and a few rags.

Q. Is there not a large amount of bones sold?

A. Some months it will amount to a thousand pounds. Probably once every three or four months it will amount to that; and rags from the sewing room, and old iron, and old barrels, sugar barrels.

Q. In buying flour, what is the method of returning the barrels?

A. Sometimes we return them and sometimes we do not.

Q. Do you have any barrels of that kind to sell?

A. We use a great many barrels there in the kitchen; and in delivering from one building to the other we use a great many.

Q. You have a great many barrels there at the Institution, brought there with goods in them, besides the sugar and flour barrels?

A. No, sir; we have about 18 or 20 sugar barrels a month, and 7 or 8 salt barrels.

Q. Is there anything else delivered in barrels there?

A. No, sir; nothing to amount to anything.

Q. Do you sell anything else, that you can think of?

A. No, sir. Sometimes a little tea lead, that comes off the tea cans.

Q. I believe you stated that you had been using oysters out there considerably, lately?

A. Yes, sir.

Q. And more chickens and turkeys?

A. No, I do not know that; once or twice in six months, probably two dozen.

Q. In the distribution of food to the departments, what distinction is made in the officers' department?

A. It is the very same. They use the same kind of flour, bread, meat, and everything, that is for all.

Q. Is the distribution of oysters the same?

A. The same thing.

Q. And eggs?

A. The same thing.

Q. And the condition and kind of butter?

A. The same thing, same tubs.

Q. Who would use the quails?

A. Sometimes they are prepared for visitors coming out; they ordered an extra turkey or a little something.

Q. When the special committee comes out there?

A. The committee have not eaten with us yet.

Mr. Fields:

Q. How many kitchens have you out there?

A. Four.

Q. Now, who do those kitchens supply?

A. There is one large kitchen that supplies the wards of the male department.

Q. Does it supply anybody but the wards?

A. Yes, the general dining-room for the employes. Then we have a general kitchen for the wards of the female department, that includes the employes' kitchen; then there is a kitchen that supplies the officers' tables of both departments.

Q. Now that is three?

A. Four.

Q. That is; there is a table, or kitchen, for each set of officers?

A. Yes, sir.

Q. And a kitchen for the male department, and a kitchen for the female department?

A. Yes, sir.

Q. How many officers in each department?

A. Five.

Q. Five officers at one table?

A. Yes, sir; in the female department there are 35.

Q. What makes the difference of thirty in the officers' table of the male and female departments?

A. Well, in the male department, probably two years ago, they changed the table and put it in the general dining room, while in the female department it has not been changed. It is simply a matter of place and not of quantity or quality.

Q. How many were at the officers' table in the male department before that?

A. About the same number.

Q. Who are they; who eats at the Superintendent's table?

A. Nobody except himself and family.

Q. Who are his family?

A. Himself and wife and niece.

Q. And his mother-in-law?

A. No, sir, I think that is all.

Q. His wife, niece and self; where are the other two?

A. The girls that do the work.

Q. How many waiters at his table ?

A. I think he only has one.

Q. Do you mean, now, that one waiter brings the food from the kitchen and serves it ?

A. That is all brought up by elevators.

Q. And they only have one man to serve it at the table ?

A. Yes, sir, I think so.

Q. And you think he has not his mother-in-law there ?

A. I know that she is not, and never has been there.

Q. Who are the other 32, besides these three ?

A. I will try and give you their names: Dr. Galbraith, Superintendent; Mrs. Galbraith, Housekeeper; Miss Price, Seamstress; Miss Price, Assistant Housekeeper.

Q. Miss Price is his sister-in-law, instead of his mother-in-law ?

A. Yes, sir, there are only three ; himself and wife and Miss Price, at that table. Dr. Stockton, Dr. Berkhiser, Dr. Waters, Miss Smith, Clerk ; Miss Bixler, Clerk ; Miss Surrey, Usher ; Miss Oldecker, Usher ; Miss Foley, Supervisor.

Q. What does she do—Miss Foley, Supervisor ?

A. She takes care of the patients, sees that the attendants do their duty and that the patients are on their wards. Miss Commisky, Supervisor ; Miss Power, Supervisor ; Miss Kersey, Night Watch ; Miss Kingman, Night Watch ; Miss Davis, Night Usher ; Miss Wilson, Night Nurse ; Miss Dogan, Laundress ; Mr. Jameson, Druggist ; Mr. Hebe, Timekeeper ; Katie Crane, Day Watch ; Mary Crane, Night Watch ; Miss Hogarty, Night Watch ; Nora Murphy, Waitress in the Officers' Department ; Lilly Kelly, Waitress in the Officers' Department. If I have made no mistake I have given you the names of thirty-six persons.

Q. And they have on an average of thirty-six there at that table ?

A. Yes, sir.

Q. You are the man that takes in all the goods, and you see that they are up to the sample and contract ?

A. Yes, sir.

Q. How many grades of tea do you contract for ?

A. We do that by sample ; we get a good sample.

Q. Do you know how many kinds of tea there are ?

A. That is something that I do not pretend to know.

Q. Would you know if they gave you an inferior grade?

A. We go by the sample.

Q. Supposing there are three kinds of tea; could you tell if they gave you an inferior article.

A. I think I could.

Q. Do you know the difference in price, between the first and the third grades of tea per pound?

A. It would depend on the kind of tea.

Q. Well, there are three different grades, are there not. Have you ever been in the tea business?

A. No.

Q. Do you know whether there is but one good tea, or whether they go by numbers or grades?

A. We have various samples in our store, and we lay down the samples of tea that we want.

Q. You think a man could not bring in two grades of tea, one an inferior grade; could you state whether it was an inferior grade, would you know by the sample?

A. Yes, sir, I would know by the sample.

Q. Supposing your sample was inferior?

A. We do not have inferior samples.

Q. How do you know, if you are not an expert; where do you get your samples?

A. We have samples that we select from the best tea men in the city. These same tea men would bid every month, and by comparing with our sample, and by taking and comparing it with those men, we are not likely to get an inferior article.

Q. Do you know Mr. Lee?

A. I do, and trade with him frequently.

Q. He has been in the business a long time?

A. Yes, sir.

Q. He would probably be an expert in it, would he not?

A. I would say he was pretty good.

Q. Do you know any better?

A. He is as good as there is in the city.

Q. He has been in the business longer than anybody else in the city?

A. Probably he has.

Q. Does he furnish much of your tea?

A. Yes, sir.

Q. How much?

A. He furnished it for December and January.

Q. He had not had the contract for a year or two before that, had he?

A. I do not remember.

Q. Has he had a contract to furnish it more than once a year until December and January?

A. It has been very frequently since I have been there; he has had the contracts very frequently since I have been at the Hospital, and he is a reliable man.

Q. I want to get at your method of issuing supplies to the kitchen. How do you know how much to issue to the kitchen?

A. I will show you a list, gotten up by Dr. Fletcher. This is for thirty people, and for the same table that I have gone over the officers' dining-room department. This was for two or three years ago. They have more people there now.

Fresh meat.....	30	lbs. per day.
Chicken or turkey.....	15	“ “
Corned beef.....	30	“ “
Fish	22 $\frac{1}{2}$	“ “
Bread	30	“ “
Beans.....	3 $\frac{3}{4}$	“ “
Rice, hominy, oat meal	3	“ “
Salt.....	15	“ “
Coffee	2	“ “
Tea.....	$\frac{1}{4}$	“ “
Sugar.....	4 $\frac{1}{2}$	“ “

Q. When you say sugar 4 $\frac{1}{2}$ pounds, does that include for cooking and every thing?

A. That includes cooking, tea, coffee and every thing in which sugar is used, yes sir. If there is any thing extra out of this list, the cook orders an extra quantity of a pound or two pounds more; and that is supposed to be the amount for these thirty people.

Milk.....	6 $\frac{1}{2}$	quarts per day.
Butter	2	pounds per day.

Q. This butter, two pounds per day, does that include all of the uses for which butter is required for thirty people, for cooking and every thing?

A. Yes, sir; but we have a provision if there is any thing needed out of this list, they can get it.

Q. That is the question I am making, whether two pounds is sufficient for thirty people for all purposes?

A. Yes, sir.

Q. That does not simply mean for the eating, but it includes all the purposes for which butter is used for thirty people in a day?

A. Yes, sir.

Flour..... $\frac{1}{2}$ pound per day.

Molasses..... $1\frac{1}{2}$

Vinegar1 pound per day.

Dried fruits $5\frac{1}{12}$ “ “

Pickles $\frac{1}{4}$ “ “

Q. What is the date of that?

A. I suppose that was gotten up in 1885.

Q. Have you any such thing as a ration, except as you have estimated it there, for instance: a ration of coffee, or of bacon?

A. Well, we found this was not full enough and we have increased it.

Q. Have you any list of how it was increased?

A. No, sir.

Q. How much have you increased it?

A. As the demand called for it.

Q. For instance: the cook would say she wanted so many pounds of tea; would you give her what she asked for?

A. We know just what she ought to have; sometimes they have to have some extra.

Q. Was there some not working at one time, and then another?

A. Yes, sir.

Q. That was very rarely?

A. Yes, sir.

Q. Would that make a difference of very much coffee in a year.

A. It would make a difference of about forty pounds a year.

Q. Suppose the cook comes and says, I want so many pounds of sugar. Have you any means of knowing whether that is the right amount?

A. No, except that we carry it on on about an average.

Q. Suppose she says: there are 30 people in my ward, I want so much sugar for that ward; have you any means of knowing how much she ought to have?

A. We do not do that; we know as near as we can on an average what they need.

Q. Have you any means of knowing the amount required by her as the proper amount?

A. Take this list now, we do not go so strictly after a year's use by this list.

Q. Are you giving things more freely?

A. Yes, sir.

Q. Does that not account for the increase in the amount of goods used?

A. Of course, where we might give them more of it, we would not——(interrupting.)

Q. Have you any definite knowledge as to whether the amount is sufficient or more than sufficient for what she wants to-day?

A. That is done by tables, by comparison.

Q. You said one month you had 1,200 pounds of butter?

A. Any month we will have things left over. Our estimate is 3,500 pounds of coffee, which is the usual amount. That is a certain quality of coffee, and your contractor will say, this coffee is difficult to get and can not be obtained easily; as it is the same price why not take 500 or 600 pounds, so you will be sure to have enough to run you into the next month, so that when your contractor wants time to get the goods you will have some on hand. We try to have a certain amount of each article on hand.

Q. Do you not sometimes have a small quantity of 1,200 pounds of butter on hand?

A. In any article we may have from 300 to 500 pounds on hand, more or less.

Q. Does the number of people vary out there?

A. Yes.

Q. How much?

A. Some people are sent home, and some are discharged every month.

Q. Does it not make a general average during the year?

A. Yes, sir.

Q. Supposing there are four or five people out to-day that does not make any very great difference in the amount to be supplied where you have 1,700 or 1,800 people to provide for, does it?

A. Not very much.

Q. Would there ever any such difference occur as to make a difference of 1,700 dozen or 2,700 dozen more of eggs in one month than in another?

A. Sometimes; take the Superintendent's increase for September and October.

Q. What was that increase in the diet list? Did he give them more eggs once a week in one order?

A. Three hundred and sixty dozen more in one week.

Q. Was there any other order?

A. Yes, sir; various special dishes, such as soups.

Q. Eggs I am talking about?

A. I say there are eggs for special dishes, making other things out of eggs.

Q. Are they making any more special things than they used to?

A. Yes, sir.

Q. Does it more than double the amount of eggs used?

A. I do not know that it will more than double it.

Q. Are there not more eggs used in December and January than any other months?

A. Yes, sir.

Q. Why do you use more in the winter than in the summer and spring?

A. In the summer we use garden vegetables.

Q. Do you raise much in your garden?

A. Yes.

Q. How much?

A. Enough to run about a month. We raise all the tomatoes, onions, cabbage and things of that kind we want for the garden season.

Q. During the vegetable season, do you not use eggs?

A. Not so much.

Q. During March, April and May you will need more eggs than at any other time of the year, will you not?

A. We need more in the winter months than we do in the vegetable season.

Q. In March, April and May; they are not in the vegetable season?

A. March is one of the months when we use more eggs.

Q. You say that Dr. Thomas never drinks any whisky?

A. Very little; I said I never saw him drunk.

Q. Did you ever see him under the influence of liquor?

A. No, I never saw him drunk.

Q. Does a man have to stagger, and be a fool to be drunk?

A. I never saw him when I thought he was in any way affected by whisky.

Q. You have seen Dr. Fletcher drunk as often as once a week?

A. I said I would hate to say that much.

Q. When did you say Dr. Fletcher's time was up?

A. In August a year ago.

Q. And then Dr. Galbraith came in?

A. Yes, sir.

Q. How much whisky were you using then, when Dr. Fletcher was there?

A. I do not remember.

Q. You said they had been increasing the amount of whisky?

A. I said they had used more in a medical way.

Q. How much did you get in a medical way?

A. About twenty gallons a month, I think.

Q. You personally do not know how it is used?

A. No, sir.

Q. You simply know that you increase the quantity bought?

A. I simply know that we buy the whisky, and that it goes to the drug store.

Q. And you know you are buying more whisky than you did a year ago?

A. That is my impression, we are getting it more frequently.

Q. You get about twenty gallons a month, and pay from \$3.50 to \$4.00 a month for it?

A. Yes, sir.

Mr. Howard:

Q. Regarding the bills for the month of February; how do they compare with the bills for January and December, and preceding months?

A. The bill for February is \$2,008.20; for January it is twenty-three hundred and something.

Mr. Hays:

Q. What was the difference, Mr. Hall, in the number of patients in the Institution, in December, 1887, and December, 1888, if there was any in those two months?

A. I can only give you the average for the year, I have not the number for the month.

Q. You issue rations every day, and keep a run of the inmates in the Institution?

A. No, sir, not of the inmates.

Q. How can you tell how much rations to issue daily?

A. As to the average for the month I can not remember.

Q. You did have to keep the run each day of the month in issuing rations, did you not?

A. We would generally go by the number of patients in each ward.

Q. Do you know whether they had more patients there in December, 1887, than they did in 1888?

A. They had more in 1888.

Q. How many more?

A. I do not know.

Q. Can you approximate something near it?

A. No, sir, I could not do that; I am not supposed to keep the number of patients in each month.

Q. You make the requisitions for all the supplies, do you not?

A. I fill the requisitions. The Superintendent tells me what he wants and I get it.

Q. You make the requisitions, do you not? Is not that one of your duties as book-keeper of the Institution?

A. It is done by the Superintendent and myself, both. I make it out, and he examines it and adds to or takes from it; or during the month he says get so much more of this, adding to the requisition.

Q. You do, as a matter of fact, each month make out the requisitions for supplies?

A. I do not.

Q. Who does?

A. I make it out; I am the principal in the thing; but the head of each department assists in that matter.

Q. Do you not do that?

A. Yes, sir.

Q. If you make them out, you must have a knowledge of the number of patients at the institution all the time?

A. In a general way.

Q. You have said that the number was greater in 1888 than in 1887; what was the amount?

A. I do not know, about the number of patients; all I can say is that it was more, I do not remember how much more.

Q. Was it twice as many?

A. In April I think it was ten or fifteen more, but that is guess work.

Q. How was the month of November, 1887, compared with 1888, as to the number of patients?

A. It would be guess work for me.

Q. You have general charge of the entire commissary department?

A. Yer, sir.

Q. Then why have you nothing to do with the number of inmates?

A. There are 1,800 of us this month; but there are other people, employes.

Q. You would have to know the number of inmates, and also of employes to make requisitions, would you not?

A. I say more or less; if we know we have four, we order for four; if we know we have ten, we order for ten; if we do not know it, we do not order it.

Q. Did you not say to Judge Fields that the amount used each day would vary, because there might be more persons present one day than another?

A. We know at the close of February that we have 11,800 to provide for. On that basis we ask for a certain amount of goods. We may want more or less; the requisition is for more or less. It does not affect the contract.

Q. Do you make your requisitions and order your supplies without reference to the number of inmates?

A. With reference to what we want.

Q. How do you know what you want?

A. By the list made out. It reads this way:

Breakfast—Meat, oatmeal, coffee, bread, butter.

Dinner—Coffee, bread, potatoes, hot slaw, bread pudding or milk.

Q. That is not answering my question. How do you know how much of any article to buy, unless you get the number of persons to feed?

A. They get the meals by that, but they have increased the list some, that was made out three years ago.

Q. You would have to go by the number of persons for each day, would you not? when you telephone your order what guides you as to the amount of things you want?

A. Say we ask for 9,000 pounds of sugar, more or less; 9,000 pounds of sugar is delivered to us. We order it one day and receive it the following day.

Q. How do you issue it out?

A. We issue so much every day to each place.

Q. How do you determine how much to issue to each place?

A. By the number of people?

Q. How do you determine how much to issue to each place?

A. By the number of people.

Q. How do you ascertain how many there are there?

A. Each dining-room and each kitchen knows how many.

Q. Do you know?

A. Yes, sir.

Q. In order to judge how much to issue, don't you have to keep a general run of the number of patients?

A. Yes, sir. I said I thought the difference in amount increased, but as to the number of persons, I was not certain. The increase may be fifteen or more.

Q. Was there any increase in the ration of butter, eggs and poultry in November and December, 1888, over that of December and November, 1887.

A. Yes, sir.

Q. Was there a corresponding increase in the rations of other articles of food?

A. I have not compared the requisitions, but I suppose, probably, there was.

Q. How do you ascertain that there was an increase in the poultry, eggs and butter?

A. Because I had orders to get them. There was a time when we used no eggs at all on Friday. Now we are giving three hundred and sixty dozen. In other words, giving every body in the whole Institution eggs on Friday.

Q. When did you commence that?

A. In September or October.

Q. Of this last year?

A. Yes, sir.

Q. That made the change in the egg business. Was there any change in the butter?

A. Yes, sir, the increase in diet made the increase in butter.

Q. What was the increase in butter, what per cent?

A. I don't remember; it was probably increased several hundred pounds.

Q. Was there any corresponding increase in the amount of poultry?

A. Yes, sir.

Q. When was that done?

A. It is not likely so much in poultry; a slight increase, probably fifty pounds a month.

Q. When was that done?

A. At the same time that we ordered more in the way of special diet.

Q. When was that?

A. In last September or October. It required more lard, more ham, more bacon, etc.

Q. I see here the amount of produce furnished to the Institution for the month of November, 1887, was \$1,687.13, and the amount furnished for the same month in 1888, \$2,784.08, an increase of nearly \$1,100 in the bill from one year to another?

A. Yes, sir.

Q. And I see, in November, 1887, you used 1,287 pounds of poultry and chickens, and in 1888 the corresponding month there was an increase to 2,700 pounds. The first bill was furnished by Jordan and the last by Sullivan. Can you explain to the committee why it was that in the month of November you used twice as much poultry as you did in the same month the year before?

A. I don't remember.

Q. Was there any reason for it?

A. I don't know how to answer that question. It was bought and used; I know that.

Q. You said there had been no change in the rations of poultry during that time?

A. I said it might be increased to the amount of fifty pounds a month. I had reference to this increase being in the month of October from the previous month.

Q. I was asking you at the time the difference between the month of November, 1887, and 1888.

A. I have not made comparisons ; I do not know.

Q. For the same month in 1887 you used 4,170 pounds, while in November, 1888, you used 6,000 pounds of butter; can you give any reason why that was increased?

A. It may have been that there was some on hand. It may have been on hand in November. It is not an uncommon thing to have 1,000 pounds on hand.

Q. In December, 1887, you used 4,687 pounds, and in 1888 5,932, an increase of 1,300 pounds?

A. That may be.

Q. How was it?

A. We don't use the same amount of anything in one month—I mean the same month in different years.

Q. I want to know if there is any explanation of the fact that you used in one month 1,300 pounds more of butter than in the same month of the previous year; was there any change in the diet?

A. Undoubtedly there was, or we would not have used it.

Q. I see in the same month you used in November, 1887, 2,480 pounds of poultry, and in November, 1888, 3,972 pounds.

A. I would answer that in the same way.

Q. That is, the bills are here for that amount?

A. No, I say this: You might not only take butter, eggs and poultry, but anything else.

Q. Is it not true that from the time Sullivan furnished produce out there, there was a constant increase in the amount of your bills until you increased on an average of from \$1,200 to \$1,500 a month, until it was \$2,700 or \$2,800?

A. I don't think there was that much difference, except since the list on the articles was increased.

Q. Was that not increased since Sullivan began to get the contracts?

A. He has been getting contracts, more or less, for ten or fifteen years.

Q. Well since Mr. Gapen went into his employment, when was that?

A. In October.

Q. The month before, Mr. Jordan had the contract, did he not?

A. I don't remember.

Q. With the exception of one month, has not Mr. Sullivan had the contract every month since then? And with the exception of one or two months since Gapen went in there, was there not a continual increase each month, until the last bill was \$2,800 or more, and did you not, in the months of November and December, receive and credit to Sullivan's account, 3,200 pounds more of butter than you had received for this month in the year previous?

A. It probably might be that much, but we had more people there, and an increase of the diet list, which I have been explaining.

Q. I will also ask you if you did not credit Mr. Sullivan's account for poultry furnished for the months of November and December, 1888, with 4,180 pounds more of poultry, than was used in the Institution during the same months of the previous year?

A. That I can not answer without making comparison. I have not noticed that difference. It may have been greater.

Q. How much does your bill for milk amount to out there on an average for the month?

A. About on an average of \$600 probably.

Q. What kind of milk does that include?

A. Fresh, sweet milk.

Q. Exclusive of buttermilk?

A. Yes, sir.

Q. By fresh, sweet milk do you mean the milk fresh from the cow?

A. Yes, sir, sweet milk.

Q. Do you use any other kind of milk out there, except fresh, sweet milk and buttermilk?

A. Just the two kinds.

Q. How then do you make your contracts for your milk?

A. I have been doing that every six months.

Q. For six months at a time?

A. Yes, sir, we did that on account of the dairy-man not wanting to make the contract for a month, because it would throw the dairy into too much confusion to have to furnish that amount for a short time and then stop.

Q. How long have you been making contracts for six months at a time?

A. I suppose for the last four, five or six years, or more.

Q. When you do have bids for milk, do you advertise that it is to be for six months at a time?

A. I don't remember whether the advertisement is worded that way or not, but the parties notified us that they would rather have it that way.

Q. Did the requisition mention that it was to be for six months at a time?

A. No, sir; that was a contract between the Board and the milkman.

Q. Do you understand that the contract is so made that the Board can cut him off at the end of the month; that it is entirely optional with the Board?

A. Any contract may be cut off, and the dairymen contract with the Institution that if they want to cut them off they can do so, and the men that are furnishing the milk understand that.

Q. What is the advantage of having the contract for six months if it is left optional with the Board to quit taking the milk after one month's time?

A. The advantage is that the dairymen do not want to contract for one month at a time, from the fact that if they did not get the contract for the next month they would have on hand a large amount of milk that they could not dispose of.

Q. Have not various men attempted to make a contract for milk for six months at a time, and been informed that you only contract month by month for milk?

A. No, sir; that has not been done.

Q. Who has furnished milk for the last six months?

A. Mr. Fletcher and Mr. Flack.

Q. What Mr. Fletcher?

A. S. K. Fletcher.

Q. Since when has he been furnishing milk?

A. For the last five years.

Q. When did he make this contract?

A. Four years ago.

Q. Has he had the contract for four years continually?

A. Yes, sir.

Q. How long, under the present contract, has he furnished the milk?

A. For six months.

Q. You say you contracted with Mr. Fletcher to furnish milk for six months?

A. Yes, sir.

Q. Was that done on a requisition?

A. Yes, sir.

Q. When was that requisition made?

A. I don't remember the month; I remember Mr. Fletcher coming to the room in the State House, and giving in his bill.

Q. When did Mr. Flack make his contract?

A. I wish to correct myself; I said Flack; the man's name is Tomlin. I was under the impression that it was Mr. Flack's dairy.

Q. Don't you know that is the general understanding?

A. Yes, I think it is. I think nearly everybody understands it is his.

Q. Do you know whether it is operated under the name of Mr. Tomlin?

A. I can only give you my supposition; Mr. Flack at one time was appointed as Trustee. He sold his dairy at that time; but the report is, that he still has his dairy, and is furnishing the milk to the institution.

Q. Who receives the milk?

A. I do, and those of us at the store. Yes, sir; we get it in eight-gallon cans.

Q. Do you make an examination of each can?

A. Yes, sir.

Q. Is it not true that a large amount of the milk that comes there is milk that is furnished from the creamery, skimmed milk, and that the cream has been used?

A. No, sir, we get fresh milk, every bit of it.

Q. Does Mr. Tomlin furnish milk to any other Institution?

A. No, sir.

Q. You get all of his milk?

A. Yes, sir. If he furnishes to any body else I do not know it.

Committee adjourned.

TUESDAY MORNING, March 5th, 1889.

Testimony of Mr. Hall:

Mr. Hall on the stand, questions by Senator Hays.

Q. Who made out the checks at the Hospital for the claims after they were allowed?

A. A young man named Wilhelm.

Q. Did he work under you?

A. Yes, sir.

Q. All checks are prepared under your direction?

A. Yes, sir.

Q. Where are these meetings of the Board held?

A. In the Doctor's office.

Q. Were you at these meetings?

A. Well, of course I was always around.

Q. How often did this Board meet during the month?

A. They had two meetings; they meet on the last Friday of the month for the purpose of receiving bids and upon Thursdays for the purpose of auditing accounts.

Q. That is when claims are allowed?

A. Yes, sir.

Q. And at that time checks are drawn?

A. Yes, sir.

Q. Do any individuals go there to get their checks drawn up?

A. Not to my knowledge.

Q. Mr. Wilhelm makes out the checks, and they are then signed by the Treasurer?

A. Yes, sir.

Q. I see here a check, January 12, 1889, for \$1,200, payable to cash, signed by P. M. Gapen, Treasurer; what is that for?

A. I don't understand it, unless it is one written out at the usual time in the office.

Q. Do you know that it is a fact?

A. No, sir.

Q. Do you know who got the money on it?

A. I do not?

Q. Was it for a payment of a claim against the Institution?

A. I never seen that till to-day; I don't understand it; I never heard of it before.

By Mr. Conn:

Q. It never came out of this book? (Showing check book.)

A. I never saw it before.

Q. Do you keep a regular check book?

A. Yes, sir, you have it.

Q. I see in the back part of the book several stubs marked void; why was that?

A. Well, I will state that a claim that has not been allowed or has been disallowed, or some claim not passed on, or some claim that is laid over for future investigation.

Q. What has a check to do with it?

A. If there is action against the bill, and for some purpose it is laid over for a future meeting, then it is marked void, to show that the claim has not been allowed.

Q. I understand you to say that the checks were drawn up under the direction of the Board?

A. Yes, sir.

Q. If the claims were not allowed, why were there any checks made out?

A. There was no check made out.

Q. In each case has there been a check filled up for some men who have claims against the Institution?

A. I don't say that it has been the usual way.

Q. Don't you, when you fill out a check don't you fill out the stub with the amount, and who payable to?

A. It is usual to fill out like these two.

Q. You don't know why these stubs were not filled out at the time?

A. I believe I would rather have the Superintendent testify as to that; he had.

Q. I will ask you as a matter of fact that all claim checks were left to your office?

A. They were not left entirely; they were presented to the directory to see if they desired to make any change.

Q. Was this check-book used for any other purpose, except to pay claims against the Institution?

A. No, sir.

Q. The checks were not taken out for any other use?

A. No, sir.

Q. Do you know what became of those checks?

A. I suppose they were destroyed.

Q. Do you know how it happened that these void stubs happened to be at the latter part of the book?

A. No, sir, I don't know why that occurred.

Q. If these bills had occurred from time to time, would not they have been scattered through the book?

A. I think you will find them that way.

Q. Do you remember at this meeting of February 7, do you remember there were eight bills voided at that meeting?

A. I don't remember.

Q. Did you have that many at any other meeting?

A. I don't remember that many.

Q. Now, I see here a check for \$46; that filled up and marked void, and the stub filled up in that case; and another check for \$339 that has stub filled out and marked void. Now, I will ask you if when you filled out a check you filled out the stub at the same time?

A. That was the usual way it was done.

Q. Do you say that your Bookkeeper don't fill up the stubs also?

A. I will not say anything unfavorable; I think it is the usual way.

Q. Were checks made payable at sight or after date?

A. All checks were drawn up payable after date.

Q. Who did that?

A. Mr. Gapen.

Q. Under his direction?

A. I suppose it was under his direction.

Q. Was that done by the direction of the Board?

A. All the time.

Q. Was there not an exception made at the time?

A. The Superintendent's checks were not made that way.

Q. Any other exceptions?

A. The pay roll checks were not made that way.

Q. Was there any other exceptions made except in the Superintendent's case?

A. No, sir.

Q. Here is a check for \$1,863.74 in favor of John E. Sullivan?

A. I do not know that the law has been observed in that case:

Q. There is a check pay to bearer for \$1,000, was that drawn in the usual check of the Institution?

A. No, sir.

Q. Was that drawn in payment of a claim made by the Board?

A. Not to my knowledge.

Q. Was that drawn by the Treasurer under the direction of the Board, do you know what that check was for?

A. I never saw it.

Q. I will ask you in reference to this stub to say if there is any corresponding stub to this check?

A. We have a meeting at that date, October 29, and might have been made at that time.

Q. Is there any stub in the book to correspond to this check?

A. I think not.

Q. Is that filled up by the bookkeeper?

A. No, sir.

Q. Whose writing is that in the body of the check?

A. I pronounce that the handwriting of Mr. Gapen.

Q. How long is that check dated after Mr. Gapen went into Sullivan's employ?

A. I don't remember exactly; I remember the month, but don't remember the date.

Q. It is the same month; October 31, 1888.

A. I think not; I think he entered October, 1887.

Q. You spoke yesterday of the habits of Dr. Fletcher; you say you saw him drunk nearly every week?

A. Probably not that often.

Senator Howard:

Q. What do you understand by drunk; do you understand that he is in shape as to impair his usefulness to the institution?

A. I wish to say I think so.

Q. It was a frequent occurrence?

A. It was.

Q. Did you mention that fact to any member of the Board?

A. I talked to them about it?

Q. Was there anything said by the Board?

A. Yes, sir.

Q. How long was he kept there after you went there?

A. He was there four years.

Q. He remained there four years, and was a member of the Board all the time?

A. Yes, sir.

Q. So this was the condition of things during all these four years?

A. Probably not so much so?

Q. You testified at the investigation two years ago did you not?

A. Yes, sir.

Q. Did you testify as to the inefficiency of Dr. Fletcher?

A. I don't think they asked me that question. I don't think they asked me anything in regard to that.

Q. You did not give any information when you were before the Committee in regard to the habits of Dr. Fletcher?

A. No, sir.

Q. Did you give any information as to the management of the institution two years ago?

A. I don't think I did.

Q. I will ask you if you did not testify that the officers were all that kind?

A. I don't remember that the question was answered that way.

Q. Did you not testify in that way in substance?

A. I can't say as to what I actually did say; I tried to answer questions as they were asked me.

Q. Did you not feel called upon to show the mismanagement of the Institution was carried on without being asked that question?

A. I felt as though I was there to answer any questions asked me.

Q. Did you disclose to any body the fact that he was again under intoxicants?

A. I think it was pretty generally understood by the Institution.

Q. Was it understood outside of the Institution?

A. I don't remember any person that I made the statement to outside of the Institution; I think, maybe, the attendant may have told them outside.

Q. Do you know who were examined two years ago?

A. Yes, yes.

Q. How many attendants that testified are still engaged at the Institution?

A. I don't remember.

Q. How many of them have been discharged since that investigation?

A. I don't remember.

Q. How many that testified against the management are still there?

A. I can not answer.

Q. Are there any of them?

A. Yes, sir.

Q. I wish you would name one of them that are there that testified against the management?

A. I don't remember who it was that testified against the institution.

Q. Was there not some testimony in regard to the bad condition of the boilers?

A. I think not.

Q. Was there not testimony in regard to some cholera hogs that were killed there by one of the farmers?

A. There was something of the kind.

Q. Has not that man who testified been discharged?

A. Yes, sir.

Q. The Superintendent testified he has been discharged?

A. Yes, sir.

Q. Mr. Roth has been discharged?

A. Yes, sir.

Q. What trouble had you with Mr. Roth?

A. There was no trouble between us.

Q. Did not Mr. Roth complain to you about some provisions that were accepted and delivered at the Hospital?

A. In some few instances.

Q. I will ask you if you did not disagree upon that subject?

A. I don't think there was any disagreement.

Q. I will ask you if there was not a difference of opinion?

A. Sometimes.

Q. That difference consisted in the objection Roth made to some of the provisions?

A. A very few times.

Q. At the time the maggoty butter was received was one?

A. I want to say as to that, it was in press before I knew it, and in one instance he received butter from Columbia which was returned.

Q. Did that butter get upon the tables?

A. Yes, sir.

Q. Passed through the store-room?

A. Yes, sir. I have reference to the time that it got into the press before I knew of it.

Q. You were asked yesterday about some hogs that were weighed, and if there was not some talk between you and Roth about the weights?

A. No, there was not. I want to say that there might have been some difference in the weight, but did not amount to anything, and I say there was no difference between us.

Q. There was some talk in regard to the weights at point of shipment to be accepted here?

A. That is right.

Q. You stated yesterday that you had no contract what weight should govern?

A. Yes, sir.

Q. How did you learn that fact?

A. The man had said his hogs were guaranteed to be in fine shape, and he would not take the price for them unless they were taken at home weights.

Q. They were stock hogs to go upon the farm?

A. Yes, sir.

Q. How frequently since you have been there have employes been assessed for political purposes?

A. I don't remember how many times, probably two or three times.

Q. Under whose direction did you make those assessments?

A. I don't remember as to that; Dr. Thomas one time and Mr. Kyte one time.

Q. What connection has Dr. Thomas with the Institution?

A. He is the physician.

Q. You say that he directed you to make them?

A. I say I don't remember; I don't remember just who asked me; it was some of the political committee.

Q. Did the Superintendent ever direct you to do it?

A. No, sir.

Q. Did ever any of the Trustees speak to you?

A. No, sir.

Q. Did they know of it?

A. I presume they knew of it.

Q. How would they know of it if you had not said anything to them about it?

A. I may have said something about it myself.

Q. Upon what basis was these assessments made?

A. I never had any basis; I just made out a list of the names.

Q. Who furnished this list?

A. I merely took the names.

Q. How did you make these assessments?

A. I merely put down the amount that they wanted to contribute.

Q. How did you find out the amount?

A. I would ask them, and like myself, for instance, if I wanted to give \$5 I just put down that much.

Q. Was any assessment based upon what salary any of them received?

A. There was no assessment made, they simply marked down the amount they wanted to give.

Q. You solicit in some instances?

A. Yes, sir, I told them what I was doing.

Q. Was there any instances that failure to subscribe to the campaign fund would have any bearing upon employes to lose their place?

A. No, sir, not to my knowledge.

Q. Who were called upon to contribute at the time?

A. I don't remember.

Q. Was all employes assessed a certain per cent.?

A. I never done that in my life.

Q. Was it done since you have been there?

A. I have no understanding of any assessments of that kind.

Q. How frequently have the employes been called upon to contribute since you have been there?

A. Well, probably three or four times.

Q. Did you include female employes as well as male?

A. I made no statement of that kind.

Q. Well, was it done?

A. I believe it was.

Q. Who did it?

A. I only knew of but one case, and that was done by a lady.

Q. What position did she hold?

A. I think it was an attendant.

Q. Under whose direction was that done?

A. I don't know.

Q. How did you happen to know it was done?

A. I knew nothing of it 'till I saw it in print.

Q. Do you know anything about it except what you saw in print?

A. No, sir.

Q. Was there assessment made on but one case?

A. No, sir; Mr. Kyte once and Mr. Jeffries.

Q. Was that all in one campaign or was it in different ones?

A. Yes, sir.

Q. Was that in a general campaign or in a local one?

A. Both, probably.

Q. Do you know Mr. Jeffries that furnished supplies to the Institution?

A. I don't remember such a man.

Q. You were asked yesterday about the quality of the goods furnished to the officers' department; were they the same as issued to the patients?

A. They were.

Q. Was the provisions the same, or was there any difference as to quality?

A. No, sir.

Q. Do you understand that wards set down to the same kind of table as the officers do?

A. I understand that they have the same things precisely.

Q. Is there any difference in the way the food is prepared?

A. No, sir.

Q. You spoke last night about the large increase of butter, poultry and eggs used in 1888 over 1887, being due to the increase of the diet?

A. Yes, sir; due to the increase of the diet.

Q. Was there a corresponding decrease in other articles?

A. You will find that where there is an increase in one there is a decrease in another, I mean on the average.

Q. In this November statement you say you used 2,760 dozen eggs, and in December 4,740 dozen, an increase of 2,000 dozen, was there a decrease in some other articles of diet?

A. There undoubtedly was.

Q. If there was an increase in poultry there would be a corresponding decrease in the meat line?

A. I would say that there was a decrease in something.

Q. Here is an increase in some months over others of 2,000 pounds of butter?

A. That might be.

Q. Now, if there is a large increase in both articles, what article was cut off to correspond?

A. I could not answer that now; I would much rather you would let the Superintendent testify as to that.

Q. You had charge of the provisions?

A. Yes, sir.

Q. There was an extraordinary increase in the amount of provisions used in these two months; we would like to know what caused such an increase; these things all went through your hands, did they not?

A. I make all of the orders.

Q. Were they got with your knowledge?

A. I can answer that; he (Superintendent) told me to do it.

Q. You ought to know if there was a corresponding decrease in some articles?

A. I certainly would.

Q. What were the articles?

A. I don't remember now.

Q. What of the increase of butter from 1,500 to 2,000 pounds?

A. That was only done in one month, and it was cut down by the Board.

Q. Are there any articles that the amount is never changed?

A. No, sir, the amounts were not uniform. You will find something run from 1,500 to 2,000 pounds.

Q. I find here requisition marked down to 4,000 pounds?

A. Yes, sir, I made it out for 5,000 and it was reduced by the Board.

Q. I find they are all for 4,000?

A. Yes, sir, that was about the average.

Q. Then there was no increase for butter?

A. No, sir.

Q. Then the increase in December don't affect butter?

A. No, sir.

Q. What part did you take in the business of the meeting?

A. I had nothing to do but explain the items as they were asked about.

Q. Did you usually remain in the room during the entire meeting?

A. As a general thing I was in the room.

Q. Did you take any part in the opening of the bids?

A. No, sir.

Q. Did you make any calculation for the Board to see whether or not the contract was according to the voucher?

A. No, sir; I had nothing to do with that.

Q. Do you know anything about the awarding of the contract for butter on the last voucher?

A. No, sir; I don't know anything about the contract business.

Q. Do you know anything about the letting of a contract for produce to a man by the name of Duffy from Columbia?

A. Yes, sir; I remember about the man.

Q. Do you remember about the quality of the goods?

A. It was ordinary—good as I remember.

Q. I will ask you that after the contract had been awarded to Mr. Duffy if the Board did not cancel his contract and let Mr. Sullivan have it?

A. It seems to me that he did not fill out the whole month, I am not certain.

Q. Don't you know that Dr. Fletcher complained of it?

A. I remember that Dr. Fletcher was interested in some way, I think he was permitted to make the contract.

Q. He made a contract at a great deal less did he not?

A. Yes, sir.

Q. Don't you remember that the provisions were better?

A. No, sir.

Q. Do you know why it was that he was not allowed to fill out his contract?

A. No, sir, I do not remember.

Q. Do you remember about there being \$500 taken from Sullivan's bill in regard to furnishing oleomargerine in place of butter?

A. That was before I came there.

Q. Was that amount ever made up?

A. When I came in there was a dispute between the Board and Sullivan, and I think the claim was allowed.

Q. Who was the storekeeper that done that?

A. Mr. Stansberry.

Q. Who was the member of the Board that done it?

A. Dr. Tarlton.

Q. I'll ask you, that if after you came in, a Board, composed of Dr. Harrison, Gapen and Tarlton, did not allow him \$500?

A. I think the minutes show that.

Q. It was paid in 1885?

A. I don't remember the date; it was before my time.

Q. It was paid after you went there?

A. Yes.

Q. Paid after Gapen came into the Institution?

A. Yes, sir.

Q. Now, what is your method of making out bills; do you make them out from your books?

A. The bills are sworn statements, and are made out by the merchants, and are compared with our books.

Q. Who swore these men?

A. I did sometimes, and some business men had their own notaries.

Q. Was it not frequently the case that these bills were not sworn to at all?

A. There might have been some overlooked; there were, maybe, two or three in a month.

Q. I will ask you if it is not frequently the case that they send in bills without being sworn to, and are allowed by you?

A. I will say that there might be some that were overlooked.

Q. I will ask if this was not done by your direction?

A. No, sir. If you find any that way it was an oversight.

Q. I will ask you if Mr. Wasson did not send you bills that way by mail?

A. He has sent me them that way.

Q. They were all sworn to?

A. Yes, sir; either by telephone or otherwise.

Q. You say that was always done?

A. Yes.

Q. Did you ever swear Mr. Wasson by telephone?

A. I think several times.

Q. Do you know the gentleman when sworn to by telephone?

A. Yes, sir, the business men that I have been doing business with for years I would know their voices.

Q. Do you keep an account of the amount of goods received, quality and price?

A. Yes, sir.

Q. Was your endorsement given to these bills after you had compared them with your account at the Hospital?

A. Yes, sir, there was always duplicate copies of the bills.

Q. I don't care about duplicate copies. I asked you if you kept an account and character of goods furnished by merchants' bills to the Institution?

A. Yes, sir.

Q. And they keep an account at their place of business?

A. Yes, sir.

Q. When they made out these monthly reports how did you determine whether they were correct or not?

A. They are corrected as the goods come in.

Q. And if there is any thing wrong at the end of the month how do you know it is correct?

A. By having compared them with our account, and if any difference we correct it.

Q. When was this claim sworn to?

A. February 5th, 1888.

Q. When was that sworn to?

A. That is the same kind.

Q. Was this one for \$6,315 ever sworn to?

A. I think so; I see some signing.

Q. I will ask you if that claim was not sent to you by mail?

A. Yes, sir.

Q. Was it sworn to at all?

A. Yes, sir.

Q. Were they not sometimes sent by mail, with only the endorsement of the Storekeeper?

A. No, sir.

Q. How much of the time has Mr. Gapen been at the Institution since you have been there?

A. Just as he makes a visit, probably once a week.

Q. How long does he remain when he comes?

A. Sometimes 2 or 3 hours except when he comes on official business, then he stays all day.

Q. Does he not go there and put up and stay?

A. He lives in the city.

Q. How long has he been living here?

A. I don't know.

Q. How many times has Gapen been absent and failed to attend the meetings?

A. He was absent a great deal in '86.

Q. Was he not absent nearly all the time?

A. I think he was.

Q. Did he draw his salary all the time?

A. Yes, sir.

Q. Does Dr. Harrison stop at the hospital when he is in the city?

A. He is not here often, probably about twice a month.

Q. How long does he remain when he comes?

A. Sometimes several hours, and sometimes over night.

By Senator Burke:

Q. I want to ask you about the general character of the officers of the institution, and especially about Dr. Thomas, how long has he been connected with the institution?

A. I believe about nine years.

Q. How long have you known him?

A. Nearly six.

Q. Has that been during the time you have been connected with the institution?

A. Yes, sir.

Q. What is his duty there?

A. He is assistant physician and superintendent there of the male department, in the absence of the Superintendent.

Q. Office in charge?

A. Yes, sir.

Q. What are his habits as to sobriety?

A. I see nothing against him in any way.

Q. Do you know of him ever getting intoxicated while in the discharge of his duty?

A. Not to my knowledge, sir.

Q. Who resides there with him?

A. Well, his wife was there.

Q. Does she reside there all the time?

A. Yes, sir; when he is there.

Q. Was there any rumors about the institution that he was in the habit of getting intoxicated?

A. I have heard of such things.

Q. Was there any rumor out there that he was in the habit of meeting lewd women there?

A. I have heard that too.

Q. Was there any rumor of that kind affecting any other official?

A. Not to my knowledge.

Q. I will ask you if it is a fact that such matters of that kind are done there?

A. No, sir.

Q. Do not officials become intoxicated while in the discharge of their duty?

A. Well, sometimes one of the boys employed there gets intoxicated and is discharged for it.

By Senator Hays :

Q. Now Mr. Hall if you have any further statement to make you are at liberty to do so?

A. I want to say that while I have been in that Institution I have always had a witness to my actions and that all that I have received and all that I have weighed, has been honestly done and correctly done, and nine out of ten times my weights have been witnessed by other parties, either Mr. Roth or Mr. Kyte during his term of service. I also want to state that since the connection of Mr. P. M. Gapen with the business house of John E. Sullivan, my situation has been somewhat embarrassing, and in connection, I want to read a letter that I wrote to Mr. B. Burrell after I had found out that Gapen was in the employ of Sullivan. [Reads letter.]

OCTOBER, 1887.

Mr. B. H. Burrell:

DEAR SIR AND FRIEND.—While in the city yesterday I heard that Mr. Gapen had been employed in the business house of Mr. Sullivan; I have not seen Mr. Gapen but from the information that I can gather I fear the report is true. If such is the case I think that Mr. Gapen should resign his position as Trustee immediately; the relations existing between Sullivan and the Board of Trustees should cease at once. I certainly think that such a state of affairs will be sufficient foundation for public suspicion and in time will have a tendency to bring your Institution into disrepute. I hope you will not think this communication impertinent or in any way disrespectful to superior officers. I have an earnest desire to see you wind up with a good record and a successful administration, and so, therefore,

permit me to put this matter before you for consideration. I submitted the contents of this to the Superintendent and sent a copy to Dr. Harrison.

With sincere regards to you, I remain, yours respectfully,

F. M. HALL.

Q. I ask you why you wrote that letter?

A. I wrote it because such conduct was not right; in other words, a Trustee being with a business that expected to trade and have business relations with the institution, I did not want the responsibility to rest upon me as an employe of the institution.

Q. You refer to the business relations existing between the institution and Sullivan?

A. What I meant to say was, anybody that was furnishing goods.

Q. It was then being in the relation of an ordinary bidder?

A. What I meant to say was the business relations existing between him and the Board and to think of a Trustee running in connection with a house that expected to bid.

Q. Might not the fact that Sullivan always had a contract have excited your suspicions?

A. I will say that it seemed to me that there had been too much contracting with Sullivan.

Q. There was something in that fact that excited your suspicion?

A. I want to say that I had nothing to do with that man's bid, but it looked like favoritism was shown to his bids.

Q. What was the action of the Board?

A. They said they saw the condition that I was placed in, but we have talked with good lawyers and they say that we have no authority to compel Mr. Gapen to resign.

Q. Who did you talk to?

A. I talked to all of them.

Mr. Henry:

Q. Then when Gapen went into Sullivan's employ you thought that was entirely wrong?

A. I did.

Q. Mr. Gapen and Mr. Harrison were a majority of the Board?

A. Yes, sir.

Q. They were friends of Sullivan's?

A. I think so.

Q. They had control of the affairs and might cut off your head?

A. Yes, sir.

Q. And consequently you had to be very reserved in what you said?

A. Yes, sir.

Q. And the fact that Gapen was in the employ of Sullivan, and you in the employ of the Board, put you in a very embarrassing position?

A. Yes, sir.

Q. And if you took a very strong position your head would be cut off?

A. Yes, sir.

Q. You had to keep tolerable reserved in your opinions?

A. Yes, sir; I desire to make an explanation; I spoke to the members and asked them to go to the Governor and have the office declared vacant; I asked them over and over, as to Gapen's position, and to go there and have a vacancy declared.

Q. How long was Gapen gone from the Hospital?

A. He was gone most of the time in 1885, and a great deal of the time in 1886.

Q. They took some trouble to allay your suspicions, did they not?

A. Well, they explained the matter.

Q. Did they succeed in fully allaying your suspicions?

A. No, sir, I always thought it was wrong.

Q. Did Sullivan ever try to put in any over weights?

A. Well, he would put the weights of butter tubs at nine pounds when they would weigh ten pounds, and about thirty tubs a month, and he would make thirty pounds of butter.

Q. Would there not be some waste?

A. No, sir, I always made allowance for that.

Q. Would anybody receive any goods but you?

A. No, sir.

Q. Who would bring Sullivan's goods out to the Hospital?

A. His teamsters.

Q. Do you know which ones?

A. No, sir; sometimes one and sometimes another.

Q. Was you ever at his place of business?

A. Yes, sir.

Q. Who would be there?

A. His book-keeper and some six or eight people.

Q. Would Mr. Gapen be there?

A. Yes, sir.

Q. What would he be doing there?

A. I could not tell.

Q. What would he be engaged in while you were there?

A. He had an office to himself and I could not see.

Q. Did you see him attend to any business at that desk?

A. No, sir.

Q. When you went in you found him at that desk?

A. Yes, but I don't know what his duties are.

Q. Do you know his hand write?

A. Yes, sir.

Q. Were any of the bills made out in his hand writing?

A. No, sir, I think not.

Q. Do you know what his personal duties were?

A. No, sir, I don't.

Q. You know that he was there in some kind of capacity?

A. Yes, sir.

Q. You have seen Sullivan there sometimes?

A. Yes, sir.

Q. Did you notice how busy the clerks were while you were there?

A. No, sir.

Q. Do you know what time Mr. Sullivan went into the Clerk's office?

A. I can not give the date now.

Q. The fact that a great deal more provisions were furnished by Sullivan than any one else never created a suspicion in your mind?

A. I say that what has been received there has been correct.

Q. You would not stay there all night, would you?

A. No, sir, the store-room is thoroughly protected with locks.

Q. Who has the keys?

A. I have one and the keeper one.

Q. Who else has keys to that?

A. No one.

Q. How many doors are there to that room?

A. Only two outside doors.

Q. How many inside doors?

A. There are none that you can get in.

Q. How many keys do you carry?

A. Him one and I one.

Q. If you had been receiving a great deal more goods from Sullivan, would you not have discovered it in giving out the goods?

A. As to the increase of goods I prefer that the Superintendent should testify as to that.

Q. Don't you give out the goods.

A. Yes, sir.

Q. Have you not noticed an increase in the amount of butter given out?

A. Yes, sir; I think that there has been a larger amount used than was formerly.

Q. Don't you know that there has been an enormous increase?

A. I think not.

Q. Don't you know that it has increased nearly one third over the previous months?

A. I don't know that it has been that much.

Q. Did you know that it was greater until this examination came up?

A. Yes, sir; I talked with the Superintendent about it.

Q. Is there any chance that this butter can be taken out or away?

A. I cannot say as to that; it is generally understood that it is used in the kitchens. But such things might occur.

Q. Do you say, that the Institution used more butter last November than in April?

A. I don't as to that, I know that there was more taken out on that date.

Q. Have you increased in beef?

A. No, not in beef.

Q. How long has the present Superintendent been in office?

A. Since last September a year ago.

Q. Who elected the present Superintendent?

A. The members of the Board as now constituted.

Q. He was a personal friend of this Board?

A. I do not know as to that.

Q. Do you know who influenced the Superintendent to increase his diet?

A. I think that I made a statement to him that I would like to get a greater number of dishes, and especially fruits and such like.

Q. Do you indorse the giving of fruits?

A. I think that there is nothing that is better.

Q. I will ask you about the butter and eggs?

A. I spoke to him about that.

Q. Did you ever recommend to him to increase them?

A. No, sir.

Q. Who was it that recommended that to the Doctor?

A. I did not know that an increase had been made until the monthly report was made.

Q. I will ask you that if in all these reports there is a single one where butter and eggs are recommended to be increased?

A. I don't remember any.

Witness was then excused.

TUESDAY AFTERNOON, March 5, 1889.

Mr. Hall resumed the stand and testified as follows:

Q. You have examined those reports of the Superintendent, have you not?

A. Yes, sir.

Q. Here to-day?

A. Yes, sir, I examined them hastily.

Q. Have you found on any of them where he increases the diet list, except for one month, and that was for last spring, for eggs, amounting to 2,500 dozen, and in another place where he recommends a larger quantity of milk; do you find in any one of them where he recommends an increase in the amount of poultry or butter, except as to eggs?

A. No, sir.

Q. Is it shown any where in the requisition how much the increase in these articles was to be?

A. Well, as to ham and bacon—

Q. I mean as to the articles of produce that Mr. Sullivan furnished?

A. It does not appear as to that; I think it will average about the same as shown in the requisition.

Q. Now, is it not curious that so large an increase is made in the use of these three articles from Mr. Sullivan, and that it does not show there in the monthly reports of the Superintendent, nor in the requisitions made for the articles?

A. Well, I do not know how to answer that, except that the requisitions have been continued, on the old plan of more or less, and if they needed any more of any thing they called for it, and we ordered it. There is a list printed on a type-writer, and given to the cooks to order by.

Q. That does not answer the question fully; I mean as to the monthly reports of the Superintendent?

A. I do not find it in the monthly report, except as to those two articles. I do not know whether he mentioned it in any other statement or not.

Q. I will ask you again: In dealing this out to the different wards, or different departments of the hospital, the butter and eggs and poultry, have you noticed an increase for the last four or five months, over that of the corresponding previous months?

A. Yes, sir.

Q. The direction by which you distributed these was a verbal command or direction?

A. Yes, sir.

Q. Now then, you have been over this; can you explain to the committee why it was thought necessary to use nearly two thousand pounds more in one month of the year, than in the same month in the year previous, when you had about the same number of patients, or inmates?

A. I can not say, except that they ordered more and used more; they used more eggs in cooking, and in larger quantities.

Q. Was the additional amount called for by requisition from the cooks?

A. Yes, sir.

Q. Then it came from the cooks, and not from the Superintendent?

A. He got out the list and gave it to the cooks.

Q. Are those written?

A. Yes, sir; on a type-writer. He gave them a list to order daily and gave each kitchen a copy of it; and then gave us orders to fill all orders in accordance with his requirements.

Q. That is, there is a certain amount of butter issued for each department?

A. Yes, sir.

Q. That order is in writing?

A. That is a verbal order.

Q. How is the order given to you, in writing?

A. When he gave this printed order to the kitchens he told me to fill their orders.

Q. When?

A. In September.

Q. What were the contents of those orders; give us an idea?

A. They were all the articles he wanted furnished to the tables on certain days.

Q. Did they specify a certain amount of butter?

A. I am not certain that it does not say a certain amount of butter.

Q. Then, if that is a written order, and that is followed in the kitchen, explain to the committee why you used so much more in the last few months than before, as shown in the reports here?

A. I can only answer that as before, that it was demanded, and we filled the orders.

Q. I have been trying to find where the demand came from. You stated that it was from the Superintendent, but his reports do not show it; we can not find it in his reports.

A. He gave verbal orders to fill the issues to the kitchens.

Q. How did they make their requisition, in writing?

A. They were mostly books, that they sent in every morning. Every department has one of these books.

Q. Then, do not these books show every pound of butter issued out of the storehouse?

A. Yes, sir, in the main. It ought to show the amount of butter required; it averages 170 pounds a day. The average for January is 154, for the year 170 4-5.

Q. Where did you get that average?

A. I took the number of pounds for 12 months and divided by 365, and for the month of January I took the amount used and divided by 31.

Q. You did not have that when you gave out the butter, did you? This was made afterwards?

A. It is something on that order. I had one here the other day that I presented on the same plan.

Q. I understand that you have made that out by taking the amount of butter used in a year and dividing it by 365? What record have you of the amount of butter distributed out in the discharge of your duties to the different departments of the Hospital? You said they had a book, and that they would send that book in making requisitions for eatables from the store-house. Now they have these books yet, have they not?

A. Yes, sir.

Q. Ought they not show every pound of butter used?

A. Yes, sir.

Q. Have you examined those books?

A. Yes, sir.

Q. When?

A. Last week.

Mr. Shockney:

Q. This calculation that you have made would show the average number of pounds for the whole year?

A. I have the average for the month of January, and the next is an average for the whole year.

Mr. Henry:

Q. That does not explain why you used so much more in one particular month than another; it simply fits that one month, does it not?

A. I can not answer that question except that in one year there are several months in which we use a great deal more of a certain class of articles than in another. Some months they call for more things than in others.

Q. There seems to have been a universal call for butter in the last four or five months. Can you get hold of those requisitions made on you? Where are they?

A. They are just a little book, and have on them what they want each morning; they are in the kitchens.

Q. Can you get them?

A. I think so, yes, sir.

Mr. Henry:

Q. You may state whether those requisitions are determined by the Superintendent, Storekeeper or cook; the butter requisitions?

A. That is done by the Superintendent and the cook.

Q. Now then, you say you were cognizant of the fact that there has been a great demand for the increase of these articles

furnished by Sullivan, and that you know of Mr. Gapen being employed there and being on the Board; did you tell any of the officers of the large amount of these articles being used?

A. The Superintendent and I have talked over the matter.

Q. Did you ever report that to the Board of Trustees?

A. They have known that we were using more, yes, sir.

Q. You informed them of that fact?

A. Yes, sir, that we were increasing in those articles.

Q. Do you mean to be understood as saying that this increase of the use of these articles, and their being issued out, was all done under the direction of the Superintendent?

A. Yes, sir. There has not been a month in the year that he has not directed what was to be distributed.

Q. Do you want to be understood as saying that the increase in the articles furnished by Sullivan was all produced by the instructions of the Superintendent?

A. Yes, as I understand it, it has been in the last five months.

Q. Altogether?

A. Yes, sir.

Q. He and the cook made out the books?

A. He is absolutely responsible, and he consults them.

Q. When did you see these books?

A. Friday.

Q. Have you examined recently on this question of the amount of butter used?

A. Yes, sir; yesterday.

Q. Did you make the calculation of every amount?

A. I did not.

Q. You say you saw those books yesterday, and there are how many of them?

A. There are four kitchens.

Q. Who has possession of those books?

A. The ladies having charge of the kitchens have those books.

Q. You saw them yesterday; did you make any calculations?

A. No, sir.

Q. Have you made any calculation from those books as to the amount of butter, eggs and poultry furnished in the month of January?

A. No, sir; except just to keep the issues up, as they demanded.

Q. Have you examined in any other month —prior to that— to determine how much had been furnished of either butter, eggs or poultry, for November or December?

A. When we make up the amounts we know then.

Q. Did you examine those pass books to determine that?

A. No, sir; at the close of each month the entire amounts are reported.

Q. Who reports that?

A. I do.

Q. Where do you get the information to report from? From these issue books?

A. Yes, sir.

Q. You check this up and make your estimates from it?

A. Yes, sir; of what has been used.

Q. Ought these books to show every article distributed by you to the several kitchens?

A. Yes, sir; everything that is issued.

Q. And we can get them, can we?

A. I think so.

Q. Are they made out with a pencil or a pen?

A. With a pencil.

Q. In whose handwriting?

A. In the handwriting of the cooks that require the articles.

Q. They made it out each day?

A. Yes, sir; an itemized statement.

Q. You may give the names of the four cooks that make these requisitions?

A. Miss Crane, Miss Naughton, Miss Allen, Miss Force.

Q. Is it your duty to watch goods any further than to deliver them to the cooks?

A. I do that, yes; but after they are in the hands of the cooks they are in their care.

Q. Your responsibility is over then?

A. Yes, sir, I can not do more than that.

Q. Are there any persons in the Institution, employed there, that are relatives of Mr. Sullivan?

A. Not that I know of.

Q. Are any of those cooks relatives of Dr. Harrison?

A. Not that I know of.

Q. Or Gapen?

A. No, sir, not that I know of.

Q. Are any of them relatives to any of the employes of Mr. Sullivan?

A. Not to my knowledge.

Q. Are any of them special friends of Mr. Sullivan?

A. I do not know; not to my knowledge.

Q. Were any of them ever in the employment of Sullivan?

A. Not that I know of, no, sir.

Q. Were any of them relatives or relations of Mr. Sullivan's family, or wife?

A. Not that I know of.

I would like to make one explanation in reference to the Institution; the issues, probably it is not understood as it should be. There is not an institution in the State of Indiana that have this information you are demanding. If you call in the officers of the Biind Asylum and ask them what they issue, how much, and how many, they can not tell you. It is true that they do not have as many as we have but it is run in the same way. Every State Institution purchases as we do, and there is not a Superintendent or officer that can answer these questions. If you would ask Superintendent Jacobs to come down here and tell you how much flour, meat, butter, or eggs he used at his Institution, he could not tell you.

Q. Don't you think he could tell in two or three hours how much butter was used in July, and how much produce?

A. Just as quick as I could by referring to his vouchers. Take the Reform School, and call Professor Charleton to the stand, and ask him how much butter is used by each person, and what kind of books they have, and what kind of orders. There has not been such a thing kept within the last forty years at the Hospital for Insane until within the last few years. It is an embarrassing thing for me to undertake to answer these things; it can not be done. These little order books that are not half as big as a note book do not show everything they get.

Q. Explain why?

A. They order what they want, such as eggs, and butter, and fruits, that they know we have in stock. They may say they want twenty barrels of apples. We can not keep the run of 200 or 300 apples divided out among the different places.

Q. What about butter and eggs?

A. That is more systematic.

Q. Ought it not to be absolutely accurate?

A. Yes, sir.

Q. Would not those books show every pound of butter and every dozen of eggs?

A. That varies; it may be more one day and less the next; the days might not correspond. When I say that I say the same of every institution in the city or State.

Q. We have been trying to make comparisons of one month with another month, and with the same month of another year?

A. Day before yesterday, Mr. Jackson, of the Blind Asylum, told me that he did not have such a record in his Institution. He said they had so many, and they tried to feed that many people. The Blind Asylum and the Reform School the same way. If you will make a comparison you will see how they will answer these questions. It is impossible for me to answer these things. The Indiana Hospital for the Insane has not kept such a thing since 1846, until the last few years.

Q. Why did you adopt this method?

A. For my own protection.

Q. How long ago?

A. It is simply a matter with the store-keeper, nothing else. I will read the following: Witness here read a copy of a contract between the Board of Trustees and Benjamin V. Harlowe, by which the use of a system of "reports, issues and remainders" was granted to the Institution, April 23, 1883, for the sum of \$50. I want to state that up to that date this thing had never been thought of before.

Q. You have adopted that since that time?

A. Yes, sir.

Q. And have had it in operation in your Institution?

A. Yes, sir.

Q. Adopted by order of the Board?

A. There was no order about it; they simply paid the man for the right. It was done before I came to the Institution, it was used about a year before I came there.

Q. What we are doing is following the produce of Mr. Sullivan, to your hands; now we want to follow it out of your hands into the kitchens. We want to know what became of

it. If it has been used by the patients, all right. I suppose these books will be a receipt, showing how much produce a year, and other articles which we propose to examine, has gone out of your hands into the kitchen?

A. They show that only in a crude way.

Q. If you paid fifty dollars for the plan it ought not be a crude way.

A. The books will show all that has been gotten by requisitions, but there were some other articles issued that were not not put on them.

Q. We are trying to examine you upon the question of Mr. Sullivan's supplies to the Institution; and these requisition books would be your protection. Can we get those at any time?

A. Yes, sir.

Mr. Conn:

Q. You stated that you had some suspicion of Mr. Gapen's association with Mr. Sullivan in the business here?

A. What I wanted to state was in reference to the bids. I made this statement, that while I have nothing to do with the bids, while it is a matter exclusively with the Board of Trustees, it seemed to me, from the face of the bids themselves, there was favoritism.

Q. Did you think there was any of the other Trustees interested except Gapen?

A. That I can not tell.

Q. You can not tell that?

A. I do not think that I could specify one more than another, except that Gapen was connected there. I have seen nothing I could testify to that I know to be wrong, except to take the face of the bids themselves.

Q. Is it not a fact that some of those bids were changed or altered with pencil marks?

A. There are some that look like they are not in the handwriting of the bidder.

Q. Who do you think altered them?

A. I can not tell.

Q. Did you ever have any reason to think that Mr. Harrison altered any of them?

A. No more than the bids show; I never saw it done.

Q. Did you ever have any cause to think that Mr. Harrison was showing favor to Sullivan?

A. It seems to me it has been shown only in that way of which I spoke.

Q. And Mr. Burrell?

A. Well, the records do not show that so much. I think you will see that he more frequently voted to give it to some one else.

Q. We are to infer from that statement, that Mr. Gapen and Mr. Harrison almost always voted for Mr. Sullivan?

A. The bids show that; that is plain. I am taking the bids that you have examined; they show that, that is all I am speaking from.

Q. Did Mr. Harrison ever say anything to you about these bids and contracts with Sullivan?

A. He has, in an indirect way; that all things being equal, he favored Sullivan?

Q. Did he tell you that?

A. Yes, sir, he has told me that.

Q. Did he ever give you any instructions with reference to the produce furnished by Mr. Sullivan, with regard to the acceptance of it?

A. No, sir; none of them have done that.

Q. Not at any time?

A. No, sir; they have been fair in that particular; they told me to order good goods, and to try and get good goods.

Q. These extra orders, for instance, where they exceeded the contract, you made those orders yourselves?

A. Yes, sir; they were not ordered by the Trustees.

Q. The Trustees did not do that?

A. No, sir, I did that by telephone.

Mr. Henry:

Q. You stated that from the appearance of the bids you were led to believe there was some recognition of Mr. Sullivan; tell us what appearances you found that made you think so? What was there about them?

A. I can not more than repeat my statement, except that it occurred so often—that the same man got it too often; Burrell voting no and the other two yes.

Q. You have examined the bids?

A. Yes, sir.

Q. You have noticed that Sullivan's bids were nearly always in the handwriting of two persons; the bid itself being in one handwriting and the figures, the price of butter, chickens and other things in another handwriting?

A. I have noticed various handwritings.

Q. Was that one of your suspicions? Whose handwriting is that?—exhibiting a bid to the witness.

A. I believe that is the handwriting of one of the bookkeepers there at Sullivan's—a lady. I think her name is Miss Ashley.

Q. Now, in reference to the other; whose handwriting is that?

A. One of his foremen's, by the name of O'Neill.

Q. Do you not find the body of the bid different from the figures and prices?

A. The figures look different from the handwriting.

Q. Can you not tell that they are different; whose figures are these?

A. I do not know.

Q. Whose writing?

A. I do not know.

Q. In whose handwriting is that bid?

A. I would judge that to be in the handwriting of Sullivan.

Q. And whose are these figures?

A. I do not know.

Q. Are they not different from the body of the bid?

A. They seem to me about the same.

Q. Examine it closely?

A. I would think it is probably the same.

Q. What would you say with regard to the figures in these two bids.

A. I do not know, hardly; I would hate to say whether they are the same or not.

Witness excused until Wednesday morning.

TUESDAY AFTERNOON, March 5, 1889, 3:00 P. M.

Mrs. Sarah Stockton being duly sworn, testified as follows :

Examined by Mr. Hays.

Q. You may state your name ?

A. Sarah Stockton.

Q. What is your business ?

A. I am a physician.

Q. Where have you been engaged in practicing ?

A. At the Insane Hospital.

Q. For how long ?

A. For five years.

Q. What department is in your charge.

A. I am a member of the medical staff.

Q. What other physicians are associated with you ?

A. Drs. Waters and Berkhiser.

Q. How long have they been there ?

A. Dr. Berkhiser came there in November, and Dr. Waters on the first day of the year, in January.

Q. Have these doctors all the same patients, or separate patients ?

A. Separate patients.

Q. How many wards in the female department ?

A. Twenty-three.

Q. How many of these are under your charge ?

A. Seven.

Q. Do you attend all of the cases connected with these seven wards ?

A. Yes, sir.

Q. Have you any thing to do with the other wards ?

A. Some times I am called on to examine a case in the other wards that will require some special examination.

Q. Dr. Berkhiser and Dr. Waters are male physicians ?

A. Yes, sir.

Q. What has been the health of the patients during the last two years ?

A. The health of the house has been very good.

Q. What has been the general character of the sickness ?

A. Well, we have had no epidemics. We have had some chronic cases that have gone down, lingering, sometimes acute diseases. Sometimes they are in a condition of exhaustion

when received, and hopeless. We have had no epidemic since I have been there.

Q. You was there when Dr. Fletcher came?

A. Yes, sir.

Q. Do you remember when he was removed?

A. On the 7th of September, 1887.

Q. Were there any complaints that came to your knowledge in regard to the conduct of the Superintendent before Dr. Fletcher was removed?

A. I do not quite understand the question.

Q. Did you hear any complaints among the inmates of the Institution as to the manner in which Dr. Fletcher discharged his duties as Superintendent?

A. Well, I do not know that I did hear any complaints so far as his management officially was concerned.

Q. In any other way did you?

A. Do you mean so far as his habits are concerned?

Q. Yes, ma'am.

A. Sometimes I heard comments that he was unsteady in his habits.

Q. Do you refer to his drinking?

A. Yes, sir.

Q. How long did that continue?

A. I do not know.

Q. All the time you were there?

A. I presume so.

Q. Was that of such character as to interfere with the discharge of his duties?

A. I think not.

Q. Do you know whether it was known to the officers?

A. I do not know.

Q. Had there been comments or talk of that kind regarding any of the other officers of the Institution?

A. I have heard other statements made, but I could not give them as reliable, because I do not whether the people that told me were authorized or not. This question regarding Dr. Fletcher is a very delicate subject with me.

Q. What do you know, of your own knowledge, of the other physicians there using liquor?

A. I do not know anything about it personally; I could not tell you anything about it.

Q. Do you know anything about the habits of the employes of the Institution, as to their conduct, temperance and morality?

A. I know nothing about the department for men.

Q. With reference to the department for women?

A. I think generally our employes are reputable. Among so many we would suppose that some would come who would not be just what they ought; but I think our women are very good people.

Q. Have you any knowledge with reference to immoral practices connected with the officers or employes of the Institution, affecting their moral character?

A. No, sir.

Q. Have you had any births in the Hospital since you have been there?

A. Yes; two or three.

Q. Were they employes or patients?

A. Patients.

Q. Were they patients that had been confined in the Institution for some length of time?

A. One of them was.

Q. How long ago did it occur?

A. Four years ago.

Q. Has there been any case since then?

A. One, in September, 1887.

Q. Who was it?

A. Her name was Mrs. Herring.

Q. How long had she been an inmate of the Hospital?

A. Not more than three or four months—I think about four months.

Q. Do you know of any other cases, except the two you have mentioned?

A. I do not remember of any others.

Q. Was Mrs. Herring a married lady?

A. Yes, sir.

Q. Had she and her husband been living together before she came to the Institution?

A. I understand so, yes, sir.

Q. What do you know of the treatment of the patients in the wards?

A. The general care of the patients, I think, is quite good.

Q. Have there been any abuses coming to your knowledge?

A. We have had some complaints, and have some knowledge of such things existing.

Q. When?

A. At various times; those things are likely to occur at any time. That is one of the features that we have to look out for. We sometimes have reason to think that patients are not treated as they ought to be.

Q. By whom are they mistreated?

A. The attendants.

Q. Were these cases investigated?

A. Yes, sir.

Q. And were the employes discharged?

A. The offenders were dealt with according to the evidence in the case. If there was sufficient cruelty to warrant their discharge, it was done. Sometimes for a little offense they were reprimanded. Generally we had no repetition of the offense after a reprimand.

Q. Was that confined to the department for women?

A. I know nothing about the department for men.

Q. Have you had any sudden deaths?

A. Sometimes we do, yes.

Q. How recently have you had a case of that character?

A. I can not recollect the exact date. Not very recent this winter; but during the fall I knew of a person who died suddenly; she had been in poor health all fall, and was a chronic case, and was taken ill and died suddenly.

Q. Do you know anything about a case of death that occurred at the Hospital this winter?

A. I know nothing about that, I have not been in the men's department, except once, while I have been there, except to be in Mrs. Thomas' parlor.

Q. Do you know anything about the habits of the officers or Trustees of the Institution being there, remaining there at night?

A. Well they are there, yes.

Q. How frequently do they remain there?

A. Well, I can not tell the number of times, recently; I do not know how much they are there.

Q. Do you know anything about women going out there, from town, and remaining there at night?

A. No, sir.

Q. Have you heard any rumor?

A. I may have heard it, but I know nothing about it.

Q. How much?

A. Very little.

Q. How lately?

A. Not lately, two years ago.

Q. In the last two years?

A. No, sir; I do not know anything about it, what I heard was gossip.

Q. You spoke about two cases of births since you have been there; give the names?

A. Alice Harvey, four years ago.

Q. Was she married or single?

A. Married.

Q. Where did she live?

A. I think she was from Tipton County. I did not have her case in my charge until the birth occurred. She was on Dr. Brown's ward. At the time the case occurred it was given to me to take care of. I delivered her. I think she was from Tipton County.

Q. How long had she been there before her child was born?

A. I cannot say, it was some time; I do not know the history of the case?

Q. Do you know where her husband was?

A. No, he was among her people.

Q. Do you know whether he visited her?

A. He did.

Q. What kind of patient was she; violent?

A. No, sir; a case of melancholy.

Q. Was he allowed to remain with her?

A. He remained in the room during his visit. Some of the wards have reception rooms, where the patients receive their friends; and in wards where there are no reception rooms, they go to the patient's room and talk with them there.

Q. Did her husband see her in private?

A. He saw her in her room; it was private, excepting ordinary observation. It was a room opening into the ward, with open panels, and anyone passing can look in and see through the space into the room. It is not customary for any one to

remain in the room with them; we usually keep the visitors under observation.

Q. What length of time was he allowed to remain; over night?

A. No, sir; I think not more than an hour. I would not suppose, from what I know of the case, that he remained an hour.

Q. Do you know of any investigation being made, to ascertain what time he was there, with reference to the child's birth?

A. Yes, sir; Dr. Fletcher learned everything about it at the time.

Q. What other births have you known of since you have been there besides Mrs. Herring?

A. I do not remember; I think we had a woman to come there pregnant; we sent her home; I do not think she remained there.

Q. Do you remember a woman from Grant County giving birth to a child there?

A. What was her name? There was a woman there last summer that had a premature birth early in July; I do not know the county she was from.

Q. Who was she?

A. Mrs. Price.

Q. How long had she been in the institution?

A. I think not very long.

Q. Was there a record made of each of these cases?

A. Yes, sir, I think so.

Q. Do you keep a record of all the cases you keep in child birth?

A. Well, I did not make a record of it, because the record is kept by the ward physician.

Q. You say you can not recollect any other case?

A. No, sir, not at the present time.

Mr. Shockney :

Q. Dr. Fletcher is not in the institution now?

A. No, sir.

Q. He has not been there for a long time?

A. Not for a year and a half.

Q. Was he well qualified?

A. Yes.

Q. Was his work beneficial, as to the care and control of the inmates?

A. I think it was.

Q. Did his drinking interfere with his duties?

A. I think not.

Q. Was he discharged because of neglect of duty?

A. I do not understand it so.

Q. Was there any charge against him when he was discharged, that he was in the habit of drinking?

A. I do not know.

Q. While he was there, what is the fact about whether he was efficient, well qualified and competent?

A. I think he was.

Q. Did he do any thing out there, coming under your observation, or that you have learned from conversation with others about the Institution, that in any way incapacitated him from performing his duties as he ought?

A. No, sir.

Mr. Hays:

Q. The matter of having children born is not so common that you would forget it, is it?

A. I might; I have sometimes had cases there that I have forgotten.

Q. Were there any cases within your knowledge, of that kind that excited your suspicions?

A. No, nothing of the kind; I think we thoroughly understood that in Mrs. Herring's case, that the conception occurred before she came there. I asked her about it at the time, and I think she gave me a very reliable statement; she said her husband was the father of the child. I had no doubt of it; no one could have gotten to her at all.

Q. Was there anything of that kind in connection with any of the attendants or employes?

A. Sometimes we have employes who are a little indiscreet.

Q. How frequently?

A. Not very often. They belonged to the other departments, and when that was discovered they were sent away.

Q. How many cases of that character have occurred during the time you have been there?

A. I really could not tell you, but I do not think more than a half a dozen.

Q. Were these cases of girls on the wards, attendants?

A. No, sir, I have never had a case of an attendant of that kind. One was a chambermaid, the others in the kitchen or the laundry, where I sometimes do not know the girl's names. I was simply called upon to determine and then to make suggestions, etc.

Q. Did you actually make an investigation to ascertain whether she was in that condition?

A. Yes, sir, I have had it to occur, I think in about a half dozen cases that I investigated.

Q. Were you informed of other cases which you did not investigate and where the parties were sent away?

A. No, sir.

Q. In these cases did you make inquiry to find how long they had been in the Institution, and the circumstances of their getting in that condition?

A. Yes, sir.

Q. Were they usually cases that had gotten in that condition after coming to the Institution?

A. Some of them were and some of them were not. I could not tell the number. There were two or three cases that I know of, which occurred during their services at the Institution. I could not give an exact statement as to the number.

Q. Did you ascertain whether they had previously borne good or bad characters?

A. No, sir.

Q. Did you find out who was responsible for their condition?

A. No, sir; all I had to do with it was from a medical standpoint.

Q. Do you know whether that kind of an investigation was made by the officers or the Superintendent?

A. Dr. Fletcher usually did.

Q. Can you give the names of the girls you speak of?

A. No, sir; I could not, with two exceptions, and I prefer not to give their names.

Q. Are they still employed there?

A. No, sir.

Q. You say the investigation was made while Dr. Fletcher was there?

A. Yes, sir.

Q. Who conducted it?

A. He did.

Q. Have any cases of that kind occurred since the change in the Superintendency?

A. I think but one case.

Q. In connection with an employe?

A. Yes, sir.

Q. How long since?

A. About a year ago.

Q. Is that the only case you have any information of?

A. I think so.

Q. Do you know how long that girl had been employed there?

A. Sometime; I do not know how long; I think about three or four years.

Q. Was there an investigation made by the Superintendent in this case?

A. Not that I know of; he said nothing to me about it.

Q. Did it come to his knowledge?

A. Yes, sir.

Q. Did you have any information as to who was responsible for the girl's condition?

A. No, sir.

Q. Did you have any information as to the capacity in which the person was employed?

A. Yes, sir.

Q. Did you learn in what capacity the person who was responsible for this girl's condition was employed at the Institution, or whether he was employed there?

A. I did not know; but he was there.

Q. Do the female and male employes associate together at the Institution?

A. They do.

Q. What precaution, if any, is taken to prevent immorality?

A. I do not know of any.

Q. Do you regard that as a proper management of an Institution of that kind?

A. Well, I might modify that statement. I do not know what is done at the department for men; but in our department the employes occupy the chapel, and during warm weather

they are out on the grounds, where we have a watch at night; but I do not know of any one keeping the chapel under observation.

Q. Can you approximate the whole number of female employes there?

A. No, sir.

Q. Are they young or old?

A. We have middle aged and young.

Q. What proportion are young?

A. I think a majority.

Q. You said that in this case you were unable to fix the responsibility; was there any other case in which you did fix the responsibility?

A. There was an employe who made a written statement to me, but I really could not tell you the man's name. She went from the Institution. I investigated her case and had her statement. She made a written statement to me, but I do not remember the man's name.

Q. Did you know the person, then; who he was and where he belonged?

A. I knew the name and where he belonged, but whether or not he is employed there now I do not know.

Q. Did you know whether he was employed there or not?

A. No, sir.

Q. Did you investigate to find out?

A. No, sir, I did not.

Q. Was there any report to the Trustees or Superintendent?

A. Dr. Fletcher knew it.

Q. Did you talk with Dr. Fletcher on the subject?

A. Yes, sir.

Q. What did he say as to whether or not the person was employed there?

A. He did not say.

Q. Was any person discharged from there on that account?

A. I do not know of any one being discharged on that account.

Q. Was it not true that at the time you knew where the man was?

A. I had his name, but I have forgotten it.

Q. Did you not learn from Dr. Fletcher when you talked with him who the man was?

A. No, I simply said to him that I had a written statement, and he said to keep it for future reference. I think I have the statement there yet.

Q. I want to know whether there was any action taken in reference to it?

A. I could not tell; I did not care to take up the matter until the Superintendent required me to do it, when I got this statement.

Q. About Dr. Galbraith asking you about this other case; did he make any investigation to ascertain the responsibility in the case?

A. I do not know.

Q. Was any employe discharged, or any charge made in the case?

A. No, sir.

Q. Do you treat any parties outside of the Institution?

A. No, I do not; sometimes I examine a case for accommodation.

Q. Have you any patients in town, outside the Asylum?

A. I have not now; sometimes I have; but when I go to them I do not spend the time that belongs to the Institution. We are allowed some little time from day to day.

Q. Have you been in the habit of treating patients away from the Institution?

A. Not often.

Q. You do, some?

A. Sometimes I do, but I have not taken the time that belongs to my work.

Q. Have you a friend here in the city, who is a dressmaker, and whom you treat some?

A. No, sir.

Q. Have you a patient in the city who is a friend of Dr. Harrison?

A. I do not know anything about the friends of people; but sometimes I write a prescription for persons.

Q. Have you not a lady in the city whom you have treated, who is on pretty intimate terms with Dr. Harrison, and with whom you have talked about Dr. Harrison, and from whom you have obtained information regarding him?

A. No, sir.

Q. Do you know Mrs. Bailey, here in the city?

A. No, sir.

Q. Do you know a Mrs. Andrews?

A. Mrs. Mary S. Andrews, of Connersville, I am acquainted with. She is staying in the city here with her son, who is in the Classical School.

Q. Have you talked with her about the management of the institution?

A. No, not especially.

Q. You have had no conversation with her on that subject?

A. Not to amount to anything.

Mr. Brown:

Q. Does Mrs. Andrews live in Connersville?

A. Yes, sir.

Q. Is her husband living?

A. Yes, sir, I think so.

Q. Is he a druggist?

A. I think so.

Q. She is now in the city?

A. Yes, sir.

Q. How long has she been here?

A. She was here last year, and I think has been here since September. She is boarding here in the city.

Q. Her husband is at Connersville?

A. Yes, sir.

Q. You say she is boarding?

A. Yes, sir.

Q. Is she engaged in any business?

A. Not that I know of.

Q. Do you know where she is boarding?

A. At No. 294 North Pennsylvania Street, she rooms. Her son is with her.

Q. Do you know why she is staying here?

A. Her son is in the Classical School, and of course she stays with him, to take care of him.

Mr. Hays:

Q. You say you have had some conversation with Mrs. Andrews?

A. I do not remember any thing special.

Q. Have you ever talked with her about Dr. Harrison? Or about any friends of his?

A. No, sir.

Q. Or about any information you have acquired from any one else regarding Dr. Harrison?

A. No, sir.

Q. You say you have no patient in the city, nor have not had, who is a dressmaker, to your knowledge?

A. No, sir.

Q. Do you know anything about the character of the supplies that are furnished to the Institution?

A. I know nothing, except as I saw the food prepared; sometimes when I was in the kitchen I would see some of the supplies.

Q. Is it not a part of the duty of the physicians to look after the diet of the patients?

A. Yes, sir; the officer of the day is required to inspect the meals.

Q. Who are the officers of the day?

A. The ward physicians; we have each one a day.

Q. You take your turn?

A. Yes, sir.

Q. What has been the character of the provisions in the last two or three years?

A. They are rather good in quality, I think of good quality.

Q. Have you heard any complaint, or observed anything wrong?

A. We sometimes have them, just as you would have in any like department.

Q. The officer of the day reports in writing?

A. Yes, sir.

Q. In making your inspection, and preparing your reports, what defects, if any, have you observed in the kind of supplies that have been received there?

A. Well, the complaint was, principally, that the variety was not enough; it was not particularly as to the supply, but that sometimes the variety was not enough. It was at a season of the year when there was no variety to be had.

Q. Was there any complaint as to the quality?

A. Yes, as in any domestic department or families. Some parts of it were not just what you would like.

Q. Has there been any complaint as to the quality?

A. I think no special complaint about that, not lately. There was at one time, but that was before the investigation. But usually the quality is fair.

Q. Has there been any change in the quantity of rations issued in the last three or four years?

A. No, I do not think there has.

Q. What was the character of the rations as to quantity during the time Dr. Fletcher was there?

A. They had a good supply.

Q. Was there any complaint as to the quantity?

A. Sometimes there was not enough, but not frequently.

Q. Was there any complaint as to the quantity given to patients?

A. No, they did not complain.

Q. What change was made as to the quantity or size of the rations issued after Dr. Galbraith went in there?

A. I do not know of any change.

Q. Has there been any change in the quantity of rations since Dr. Galbraith went in there?

A. I do not know of any change.

Q. If there had been any increase you would have observed it?

A. I think so.

Q. How often in the week were you the officer of the day?

A. When there were two physicians I was officer every other day; but now when there are three I am officer every third day.

Q. At least two or three times a week, to observe the house and see the quality and amount of food furnished?

A. Yes, sir.

Q. Has there been any change in the general character and quantity of provisions furnished, from one article to another; or do they issue the same class of food all the time?

A. It depends on the season; when fruits and vegetables are in season, there is a change in the supplies.

Q. A change in the fruits, in fruit season?

A. Yes, sir; during the strawberry season, both Dr. Fletcher and Dr. Galbraith have had strawberries and everything in the market in the reach of ordinary families.

Q. With the exception of fruits, has there been any change in the provisions used, taking one season with another?

A. I think there has been some.

Q. Has there been any increase in the amount of food used, from one season to another; in the rations?

A. I believe there was a time when the supply was not as abundant as at others; I do not know how long it lasted, or why it occurred. I know sometimes when we wanted something made, it was so.

Q. Has there been any change in the amount of milk issued to patients?

A. We have a more abundant supply of milk, I think, although we had quite an abundant supply before; but sometimes we would fall short.

Q. Has there been any change in the amount of butter issued there?

A. Not that I know of.

Q. As officer of the day, in observing the food at different times, have you noticed any increase or decrease in the quantity of butter supplied to each person?

A. I only saw what was set out for use; it seemed to be about the same. I did not see what was used for cooking.

Q. In the amount on the table, have you seen any change?

A. Nothing that attracted my attention there; it was about the same as before, I think.

Q. Was there a deficiency in the department before?

A. I found sometimes that it would run short.

Q. Was that a general thing?

A. No, sir.

Q. Has there been any change in that particular in the last year?

A. I think, if I remember right, that we have less complaint of there being a scarcity, or short supply.

Q. Where do these complaint come from, when you have complaints?

A. We might have a complaint, in talking with the cook; she might say she did not have quite as much as she wanted that day.

Q. Has there been any change in the amount of eggs issued to the patients?

A. I do not know.

Q. Has there been any in your ward?

A. Well, sometimes we do not have them; I do not know whether we have used them excessively. When eggs are plentiful we have more, and when they are scarce we do not.

Q. Taking one year with another what change has been made?

A. I should think about the same.

You have not discovered any increase in the amounts issued to the wards and patients?

A. No, sir; if there is any change, it has not come under my observation. My knowledge of it would be confined exclusively to my wards, and the general view I take notice of as officer of the day. I do not know any thing about the other department.

Q. When you are the officer of the day, your duties cover your entire department, the department for women?

A. So far as the food is concerned, it does.

Q. That is about half the patients in the Institution?

A. Yes, sir. My observation has impressed me just this way; sometimes a housekeeper has a very bountiful supply, while sometimes it happens that she has no eggs on hand.

Q. Is it not true that these things are supplied according to a certain system, so much for each patient, issued to a ward, and an estimate made according to the number of patients for each ward each day?

A. I suppose so.

Q. Then there would not be any increase, unless the amount of patients was increased for each ward?

A. I do not know why it was.

Q. As I understand it, the entire system of supplies is based on a requisition, and the foundation of that requisition is the number of persons.

A. Yes, that is my understanding.

Q. Has there been any change in the amount of poultry that has been issued from one year to another; has the ration of poultry and chickens been increased or reduced in the last year?

A. I think it continued about the same, from what I know of it.

Q. They had the poultry during Dr. Fletcher's time, and it has continued about the same?

A. I think so, so far as I have observed in my wards.

Q. How do you make your inspection, as officer of the day?

A. Usually it is made in the kitchen where it is cooked. The most I can do is to see the way it is cooked, and whether the variety is enough or not. I can not tell what it will amount to when served out to the wards.

Q. Do you inspect the tables?

A. I do sometimes. One side has a general dining room for the patients, and I go in there at one meal, usually, and see how they serve it and observe the supply of food, and then the method of distributing it; that is about all I do.

Q. What is the difference between the food for the officers and the employes, and that prepared for the patients?

A. I do not think there is very much difference.

Q. Do the patients have the same variety of food as the officers, from day to day?

A. As a general thing, they have sometimes a little extra, that they could not make for 800 people. Sometimes the cook sends up a dish of something she has prepared for sick patients.

Q. Is there not a general difference between the table as fitted up for the officers, and those for the wards?

A. You could not have napkins and glass dishes for the patients.

Q. Is there not a difference in the amount and variety of food supplied to the officers and patients?

A. I do not know about the amount.

Q. Is there not a difference in the quality?

A. No, I do not know that there is.

Q. Do not the officers get the best cuts of meat, and fresh eggs and the best butter?

A. I have not observed it.

Q. Do the officers in your department and the officers in the male department eat in the same dining-room?

A. No, sir.

Q. Do not the Superintendent and family have a separate dining-room?

A. Yes.

Q. Do the attendants and patients have the same dining-room?

A. Each ward has a dining-room on the south wing. On the north wing, the patients have what was 142 for a dining-room. The attendant people of that wing take their meals in the general dining-room for employes—they have a table in there.

Q. Do you know anything about the system of issuing supplies and distributing them to the different wards and kitchens?

A. No, sir.

Q. Have you ever observed about the kitchens what the waste was, if there was any?

A. I do not think there is a great deal of waste; I never observed this much; when I have time, I go in to see the food when it is served, however, and of course the attendants make the written statement regarding the quality.

Q. To whom?

A. It is a daily report made to the physicians and Superintendent. Sometimes they would need, and the order of the Superintendent is for that to be kept in as good form as possible and return to the kitchen. The cook keeps that quantity of food and uses what can be used. I have known her to have a good deal of this kind to send in again for use, but there is nothing objectionable about it, it was simply a matter of economy; it is just as good as when first served. I think that is the instruction and rule in all departments.

Q. Do you know anything of the circumstances connected with Dr. Fletcher's removal?

A. No, sir.

What change has there been in the management of the Institution since then?

A. Dr. Galbraith has conducted it on about the same principle and method as when Dr. Fletcher was there.

Q. Was there any change in the principles of management during the time Dr. Fletcher was there?

A. I came there soon after he inaugurated his reforms. I understand he made some very radical changes, which I think were necessary.

Q. Were they adopted and found satisfactory during Dr. Fletcher's administration?

A. Yes, sir.

Q. Have they been kept up since?

A. Yes, sir; Dr. Fletcher made a reform in the Institution that will live as long as the Institution remains—doing away with restraints.

Q. Does Dr. Galbraith give his personal attention to the Superintendency as carefully as Dr. Fletcher?

A. I think so.

Q. Have you heard any complaint regarding the Superintendent?

A. Only as a matter of gossip.

Q. It is hard to tell what gossip is.

A. You are familiar with the Attorney General's complaint, are you not?

Q. What have you observed in that way?

A. Dr. Galbraith has done very well; the work was new to him when he came in, and of course he can not be expected to understand the matter as well as any one of more experience.

Q. Do you think he has done as well as you could expect under the circumstances?

A. I think he has done very well, with the knowledge he had.

Q. Had he had any experience at all of this character in the treatment of this kind of people?

A. Not that I know of. In making a comparison with Dr. Fletcher he has done very well.

Q. Do you regard Dr. Galbraith's management as efficient or successful?

A. It seem to have been so. Dr. Galbraith was wise enough to retain within the service the experienced employes.

Q. What has been the amount of changes in the number of employes since he came in?

A. We have had a good many changes.

Q. Do you know why they were made?

A. I can not say that I do.

Q. Have they been made to improve the service?

A. Why, I think all the changes that came about by order were made to improve the service. There are some people who quit of their own accord. Sometimes they are found inefficient, and there is complaint against them; and sometimes they are told to go, and not stand on the order of going.

Q. Who is the superior officer?

A. Well, that is a delicate matter upon which to make any expression. I had great admiration for Dr. Fletcher's ability.

Q. I will ask you again concerning this lady I was speaking about a while ago—this dressmaker; do you know a dressmaker by the name of Casey, or Cary?

A. I know one by the name of Cary; she is my dressmaker.

Q. Did you ever treat her?

A. I wrote a prescription for her when she had the headache.

Q. Do you know whether she is a friend of Dr. Harrison, or of his attorney, Mr. Woessner?

A. I do not think she is; she is a woman of middle age, about 50 years of age.

Q. Have you ever talked with her regarding Dr. Harrison's management of the Institution?

A. No, sir.

Q. Or of the officers out there, at all?

A. No, sir; I have no occasion to talk with her about them.

Q. I know nothing about Dr. Harrison, except that he is a member of the Board of Trustees, and I have seen him there in the discharge of his duties but I know nothing about him.

Q. What is the reputation of Dr. Harrison at the Institution?

A. I do not know.

Q. Have you heard it talked about?

A. If you had lived there as long as I have, you would not listen to gossip.

Q. You know what is going on, do you not?

A. No; sometimes I hear things, the same as you; but I will not let an employe talk to me about the President of the Board.

Q. Do you mean to say that you do not care to tell what you have heard?

A. I have not heard any thing except what you have heard in a gossiping way. I would be ashamed to refer to it, and do not consider it reliable. Outside of the Institution we hear a great many things; but I know nothing about Dr. Harrison.

Q. What is his reputation among the employes?

A. So far as I know, it is good.

Q. You speak about what you know?

A. So far as I know, and so far as I have heard, his reputation among the employes is good.

Q. I will ask you what is Dr. Thomas' reputation in the institution for temperance?

A. I do not know; Dr. Thomas is in the department for men, and I do not know anything about that.

Mr. Henry:

Q. Did you ever see him intoxicated?

A. No, sir.

Q. Did you ever see him when he looked like he was drinking, or had been drinking?

A. No, sir.

Mr. Hays:

Q. Do you see him often?

A. No, sir; when I see him it is in their apartments.

Mr. Henry:

Q. If he was in the habit of drinking and becoming intoxicated, you would know it?

A. I do not know that I would; it is entirely outside of my observation.

Mr. Hays:

Q. Has there been any complaint as to the character of the butter supplied to the tables since the investigation of two years ago?

A. Not much.

Q. Is there some?

A. Only occasionally.

Q. Has there been any complaint as to the eggs?

A. It depends on whether or not we use packed eggs; sometimes they are like any other packed eggs.

Q. Do they buy packed eggs?

A. I do not know.

Q. Did not their estimates always call for fresh eggs?

A. I never see their estimates.

Q. You have had eggs that were not fresh?

A. At the season when we did not expect fresh eggs, I have seen them.

Mr. Henry:

Q. How long have you been in the Institution?

A. Five years.

Mr. Hays:

Q. Has there been any elopements, or escapes, during the last two years?

A. Not very many.

Q. Elopement, means escape, out there, I believe?

A. Yes, sir.

Q. How frequently has there been any escapes in the last two years?

A. Well, I do not remember; in my department we have not had any, I think, for two years. I could not tell, I do not know the number. In the last year we have had very few.

Q. Has there been any escapes where you have been unable to account for them, or know how they got away, during the two or three years past?

A. No, sir, not for the last two years. There was one case that was up before the other investigation.

Q. Has there ever been anything heard from Mrs. Dallas?

A. She was found and restored to her family; Dr. Fletcher found her.

Q. Since the last investigation?

A. Yes, sir, in the spring after the investigation.

Q. Can you tell the committee how many escapes have taken place in the last two years?

A. No, sir, not the number.

Q. Can you approximate it?

A. No, I cannot. Last summer a year ago, I think we had more than last summer; but how many there were, I do not know.

Q. Who is responsible for these patients escaping?

A. Where there is any fault to be found, it is usually the attendants', in not keeping them under proper observation in the grounds. Sometimes they escape from the laundry or the kitchens.

Q. Do you know anything about the assessment of the employes for political purposes?

A. Well, I do not know about making the assessment; no.

Q. What do you call it?

A. Sometimes there are contributions.

Q. Tell us what you know about it?

A. I do not know very much; sometimes I have given a little money to help them.

Q. Has that been done in a general way?

A. I do not know.

Q. Do you know whether the employes in your ward were called on for contributions generally?

A. I do not know that.

Q. Do you know whether they were or not?

A. No, I do not know that.

Q. Do you know to what extent they have contributed?

A. No, sir. Almost every thing I do know is what I directly come in contact with my own business.

Q. You do not want to know more than you have to?

A. It is best not to.

Q. When you say you do not know you mean you did not absolutely see it with your own eyes. Were you called on for the money?

A. Yes, sir.

Q. Who called on you?

A. Various persons; the Supervisor, Mr. Forrest, asked me if I would be willing to give anything, and I think Mr. Jameson asked me. It is not compulsory.

Q. What is Mr. Jameson's position?

A. A druggist. I believe Mr. Kyte did, when he was there. He was the timekeeper.

Q. Any one else?

A. I do not remember anybody.

Q. Did Dr. Thomas?

A. Yes, he did, only once.

Q. Did he come to your ward?

A. No, it was in the office; I was in the Assistant Physician's office.

Q. Do you know whether he had a paper?

A. No, sir.

Q. Did you put your name on a paper at any of these times?

A. Yes, sir.

Q. Do you know how the money was paid; was it taken out of your salary?

A. It was not taken out of my salary.

Q. Do you know, after these papers were made, whether there was an arrangement by which the money was to be deducted from the pay-roll for each month?

A. I do not.

Q. Did you contribute a certain per cent. upon the amount of your salary?

A. No.

Q. What do you know about the other——?

A. I do not know.

Q. You do not know what I was going to ask you. What information did you have from the other lady employes of the female department as to their being notified or requested to contribute?

A. I have no information.

Q. Did you hear it talked about at all?

A. No, sir.

Mr. Burke :

Q. Did you say you were assessed ?

A. No, sir, I did not understand it so.

Q. For political purposes, was it?

A. I have simply given a small amount during a political canvass, on request.

Q. You were not in fear of discharge if you did not give ?

A. No, sir.

Q. Do you know if any one was ever discharged for failure to contribute ?

A. I do not know anything about that.

Q. Did these solicitations come from different persons ?

A. Yes.

Q. There was no systematic assessment ?

A. Not that I know of.

Q. Some person more enthusiastic than others in the party cause would solicit a subscription ?

A. It was not compulsory.

Mr. Hays :

Q. On these times of different persons calling, was it for a different collection ?

A. Yes.

Mr. Henry :

Q. Were the collections for any specific purpose ?

A. It was not stated to me.

Mr. Hays :

Q. I will ask you if you know anything that would be of any benefit to this committee affecting the moral character of the Institution, or of the employes; if you do we would be glad to have you tell it. If there is anything within your knowledge that you think ought to be remedied let us know.

A. I do not know of anything that I could recommend to make the service any better in our department.

Q. If you have any information connected with the Institution that will lead us to a subject for investigation ?

A. It is a very difficult matter to give information about these things. When you have an official ax hanging over your head you are not going to tell any more than you have to.

Mr. Burke.

Q. You speak of an official ax being held over your head ; what do you mean by an official ax ?

A. I will tell you ; two years ago when I testified before the other committee, I understand it required all the influence of my outside friends to prevent my dismissal, of my friends outside of the Institution. Dr. Harrison was offended, and has never treated me kindly or courteously since that. Dr. Fletcher did all he could for me ; but I was told it took all of the influence of my friends to prevent my dismissal.

Q. What I want to know is : by whom is this official ax held over your head ; by those immediately in charge of the Institution, or by the Board of Trustees ?

A. I have no superior officer excepting the Superintendent.

Q. Do you undertake, now, to leave the impression with this Committee, that the Superintendent of that Institution is arrayed against this investigation ; that if you undertake to lay the truth, or the facts as they exist there, before us, that he will cause you to lose your place ?

A. No, I do not wish to give that impression.

Q. No other impression can be reached from your statement ?

A. It might lead to that, or it might not. I will tell you truthfully, that if I were to repeat things that have occurred there in the last year or two, or longer, I do not think he would consider me friendly to the interests of the Institution.

Q. Who ?

A. The Board of Trustees and the Superintendent. I have been told that Dr. Harrison did not like my testifying before, and he has never liked me ; he did not like my appointment ; I know so from his manner, and so I have been told.

Q. Will you please go on and state to this Committee what these facts are ?

A. There is nothing I can specify ; nothing definite. I could not give you any definite line of information ; it is simply an outline.

Q. What has occurred there during the last year or two that you could relate ?

A. Nothing very special.

Q. If there is anything very general ; you are under oath to state the truth, and the whole truth ?

A. I have told the truth, so far as the questions have been put to me.

Q. Do you know anything of the conduct or acts of any person or persons in relation to the management of that Institution that would throw any light upon the management of the affairs of the Institution?

A. Not that I came directly in contact with.

Q. Well, that you have come indirectly in contact with?

A. I think not.

Q. Well, I ask if you know anything? I can not read your mind.

A. Well, who are you? I would like to know who you are?

On being informed that the interrogator was the Chairman of the Committee, Senator Burkè, the witness apologized and proceeded as follows:

Look here, Senator, I could illustrate my position by referring you to your neighborhood. While you might have an intimation in regard to the doings of people, if you were called on to specify anything you could not do it. You may have your opinion, but if they were to bring you into a court of justice you could not state anything. That is the way I illustrate my position.

Q. We do not want your opinion of the employes or officers, or of your co-workers; but you stated a few moments ago that you could relate something?

A. I may have given you a wrong impression, from what I stated, that I did not mean to convey. There are some things, it seems to me I would straighten out.

Q. What are they?

A. Inefficient employes, and various things of that kind regarding the Institution; I could not give you an instance of it.

Q. You have charge of a department, and if there was any mismanagement or lack of discipline, you would be held responsible?

A. No, I am not, because I am not running the Institution. The only thing I can do is to admonish the attendants. On one of the wards this morning, there was a strong smell of urine. I found that a room had not been cleaned; there was a neglect of work. I told the attendants that the ward smelled

bad, and that they must have a better state of affairs. I sometimes state to the Superintendent that the attendants have not done their duty.

Q. Have you reported any lax duty within the last two years?

A. Yes.

Q. When did you make your last report?

A. I do not remember.

Q. About how long since?

A. I made a report to him two or three weeks ago about things.

Q. What was the result?

A. I suppose he reprimanded them, or admonished the parties.

Q. Were matters any better after these reports?

A. Sometimes they were.

Mr. Burke being called away, Mr. Conn proceeded with the examination of the witness.

Q. If you have any sny statements to make we will be glad to hear them?

A. I do not know that I have; it is a stupendous matter. You would have a great deal to think of. I have impressions of things that I have not approved of but I can not now exactly call them to mind. You could not hear it all in an afternoon.

Q. Does it relate to the management of the Institution out there or is it with reference to the Trustees' management?

A. Both.

Q. Can you particularize any thing concerning the Trustees?

A. I will explain to you what I mean by the official acts; under this Board of Trustees, there has been an uncertainty in the minds of employes, that their places were not certain from one month to another; Dr. Howard went that way, Dr. Browning fared the same way. This does not apply to all the Trustees. Mr. Gapen never bothered us, but the other two did, and where they did not think you were interested with them, you were uncertain. Mr. Gapen always treated me kindly. I have never known him to expect to have kept in the Institution, persons who were unfit for the service. There is one girl there whom Mr. Gapen recommended, and she is a

very good attendant and I would be sorry to lose her. At one time after Governor Gray was inaugurated, I went to call on him in company with another lady, and that offended Dr. Harrison. The lady asked me if I had ever met the Governor, and I said no; and she said she would take me in and introduce me to him. Dr. Harrison was offended at this, and said he would not have the employes talking with persons in public life; in various things of that kind. That was what I meant when I said that to Mr. Burke.

Mr. Henry :

Q. You think the management want to keep your tongues still?

A. Yes. I have put up with an attendant on my ward, whom I would have put out of the house, but Mr. Burrell recommended her. Her father was an acquaintance of his in Jackson County. She did not do any thing, because Mr. Burrell was her friend; and there are various things like that.

Mr. Conn :

Q. Are you pretty well acquainted with Mr. Hall?

A. Yes.

Q. Do you regard his position about the same as yours?

A. With regard to his conduct towards the Trustees? That is all he has to do; he is rather compelled to do as they want him to do. I think it rather suits him, and the Trustees defend him. Dr. Fletcher and Mr. Gapen wanted him discharged. Every body knows you can not rely on what he says; if he tells any thing, every body just laughs. I think Mr. Burrell and Dr. Harrison like him, and that it is a mutual thing with them.

Q. Now, regarding these cases referred to a while ago of persons who had to be sent away from the Institution; is there any thing else connected with them that you can tell us?

A. Dr. Fletcher told me he wanted the examinations made, and I examined them to determine their condition, and reported to him; all I had to do in the matter was to say whether it was true or not; that ended my interest in the matter. I was too busy to think of it further.

Q. Have you ever seen anything out there that would lead you to think Mr. Hall was in collusion with the Trustees?

A. No, I do not know anything about that.

Q. Have you ever heard anybody say?

A. I have never heard people say what they thought of Mr. Hall. I know the Trustees like him, and seem friendly to him; they seem to be in harmony and good feeling.

Mr. Henry :

Q. How far did that harmony and friendliness extend; to the Superintendent also?

A. Yes, Dr. Galbraith is friendly to him; but Dr. Galbraith does not like Mr. Gapen.

Q. Dr. Galbraith's administration out there, then, you think has been rather successful?

A. It has been successful, because he retained there those who knew how to do it. I do not think he has a particle of ability. He is the last person I would employ as a physician. He knows nothing about the pathology of his profession. He was an ordinary physician in the locality where he lived. He is not skilled and taught in diseases of the brain. I do not believe he could take a human brain and dissect it and point out the pathological changes, any more than you could do it. In all these things, Dr. Fletcher was thoroughly posted.

Q. As far as ability is concerned, you regard him as an ordinary country physician?

A. I regard him as very ordinary. He confines himself very closely to his work, and is there all the time, and I think he does the best he can.

Q. Does he visit the wards frequently?

A. He has not been on my ward to make a professional visit, except when I asked him to come, I could not tell when. He can not do that; the Superintendency is too much. The ward physicians do that. If I have a serious case, to avoid responsibility, I call his attention to it; but the majority of cases I treat myself.

Q. Do you know anything more about the Herring case than you have told?

A. No, I did not know the man was there until he had gone; I did not see him.

Q. You are acquainted with Dr. Galbraith's family?

A. Not much.

Q. Do they get along peaceably?

A. Among themselves? I do not know.

Q. Have you ever heard anything regarding trouble between the family?

A. Before they came here I did. I do not know how they are doing now.

Q. Was that occasioned by the presence of Miss Price?

A. No, I think not.

Q. Do you know that Mrs. Galbraith takes opium?

A. I do not know that she does it; I can tell you nothing at all about her, except as I see her; but when she lived at Seymour and Connersville I was told by various parties that she was a confirmed opium eater, and she looks like it; but if there is any feeling about Miss Price I have never heard of it.

Q. In the men's department have you any reason to think that there is any cruelty?

A. I can not tell; I have only been there in the department for men once. I went once through two or three wards to go to a case of trepanning, but that is all. Sometimes I go to see Mrs. Thomas, in her parlor or her own room. Sometimes I do not see Dr. Thomas for months.

Q. You are inclined to think, in Mr. Hall's case, so far as the receiving and accepting of so many of these goods is concerned, where they have been used in such quantities; you are inclined to think he does that of his own free will; that there is no influence held over him by the Trustees?

A. Not unless they would say to him, we want so and so done. He is very unreliable. I do not know what inducements they have held out to him. They have retained him there under the protest of Mr. Gapen and Dr. Tarleton and Dr. Fletcher. I heard this: Dr. Fletcher told me that he had complained to Mr. Gapen of Mr. Hall, and Mr. Gapen said: "Why don't you discharge him?" Dr. Fletcher said: "Do you think Burrell and Harrison would allow that?" And I got the impression that Dr. Fletcher kept him because he could not help himself. If I had the discipline it would be almost military. I would have rules to prevent some things there. For instance, if I complain of an attendant. This has been done since Dr. Galbraith has been there. I went on to a ward one day in August; it was a cold day, and there was a cool wind from the northwest. The bath room of the ward was fronting to the northwest. I found two of the attendants, with a woman standing before a bath tub, and the window raised, and she had no clothing on her. I reprimanded them for it, and ordered them to put down the window. It seems

that they complained to the Superintendent that I was discourteous to the attendants. He wrote me a very insolent letter. I sent him my statement, justifying myself, and he never replied to it. In my reply I challenged the statements made. He neither investigated nor came to me, but he accepted their statement. He has accused me of being discourteous to attendants; and that is the occasion of my discourtesy. The woman was allowed to stand before the open window, and the window was opened because it was close in there.

Q. Do you remember of any person being scalded to death in a bath tub?

A. There was one woman whose feet were badly burned, and she died.

Q. This was a man?

A. I did not hear of that.

Mr. Burke.

Q. When was this woman scalded?

A. Four years ago. She was an old lady and had been in the habit of insisting on drawing her own baths; and they let her do as she pleased. The girls, I suppose, left the bath room, and she drew the water too hot, and tried to lie down. She burned her ankles and back. She meant to kill herself, it was intentional; but she ought not to have been allowed an opportunity of doing that.

Q. There never has been within your observation, or any rumor that there has ever been any intention on the part of the officials or attendants, to maliciously abuse any patient?

A. No, sir.

Q. Do you think it possible, without great carelessness on the part of the attendants, for a patient to scald herself severely?

A. No, sir. I find attendants violating orders, in not keeping the bath-rooms under supervision, and have reported them for it.

Q. I wish to call your attention to the report of the Superintendent on this case. He states that after careful investigation the attendant was exonerated. Do you think it would have been possible for that man to have scalded himself to death, if he had had proper attention?

A. I do not think he could; I do not think that could be possible; if the water faucet was kept under proper supervision, how could he have gotten at it?

Q. There is another case, that of William Crawford, who swallowed caustic soda, and died in twelve hours?

A. He was working at the laundry, and I suppose some one put down the soda, thoughtlessly. It was done outside of the wards.

Q. These was an instance of a man hanging himself in the night, or early in the morning; if the watchmen on that ward were attending to their duties, would that be possible?

A. Yes, sometimes a patient will make preparations, and when the night watch is away on his rounds, they will take advantage of his absence. Where you give a night watch two or three hundred people to look after, they can not always detect those things. A patient will tear up a sheet, or anything with which to get the material to commit suicide; but I do not think the case of scalding could have occurred, with proper attention on the part of the attendants.

Q. There is a difference of opinion between yourself and the Superintendent?

A. I do not allow those things if I can help them; sometimes he thinks I am too severe; but I have my reasons for it. I have but little authority; many a time I have prevented occurrences, because they did not know how little power I had.

Witness excused.

WEDNESDAY MORNING, MARCH 6th, 1889.

Committee met at 10 A. M.

Mr. Hall resumed the stand and testified as follows:

Examined by Mr. Henry.

Q. Mr. Hall, will you identify the papers upon which the daily requisitions are made?

A. These are the kind of little books used by the kitchens, on which they have their orders.

Q. This one is marked "Housekeeper, November 19, 1888?"

A. Yes, that is for the general kitchen for the Department for Women.

Q. And this one?

A. There are two of them, and this is the other one.

This one is for the Department for Men, from August up to the present time.

This large book is the store record, on to which all the requisitions are transferred each day from the little books.

So far as the department record is concerned there are two records; two kitchens in each department.

Q. The requisition for the two kitchens is made on one book?

A. Yes, sir.

Q. They are those smaller books?

A. Yes, sir.

Q. Who transfers the orders to the large books?

A. Mr. Hyde, the Assistant Storekeeper.

Q. Where is the book of this record, prior to September, 1888?

A. This is a record that we are starting in addition to these. We take it from the four, on to this, and from this on to the large one which you have.

Q. Would the accounts you speak of in your other books include all the requisitions?

A. Yes, sir. The ladies of each one of these kitchens will testify that these books do not contain all that they have gotten, because they wrote their orders on paper, and in various ways, sometimes verbally, which do not appear on these books.

Q. What are these books for?

A. These books are nothing more nor less than a matter of convenience.

Q. You, yesterday presented the contract, by which \$50 was paid for this plan, and you say it is a matter of convenience. These smaller books, then, are kept by the kitchens of the different departments, housekeepers, and cooks, and they make their requisitions on these books, and you then copy those requisitions from these books when you have sent the goods?

A. Yes, sir.

Q. These additional amounts which they require, do you put those on their requisition books?

A. No, sir; those books are theirs, absolutely.

Q. I notice some writing, here, is not that your handwriting?

A. No, sir, that is my clerk's. I explained yesterday that these books do not contain all, or half, of what the kitchens ask for.

Q. You took the precaution to put all along these books, in the handwriting of your clerk, the things which they did not

require, and which were obtained. When they were not on the original order you put them on this book?

A. Yes, sir.

Q. And you have taken them from this book, onto some other?

A. Yes, sir.

Q. Then, if you took the precaution to do that, would it not be necessary for you to put down anything more they got, on this book?

A. That is absolutely kept by them, and I have stated that our record may have one or two or three requisitions that they do not have on this. They get articles, such as fruits, largely, that do not occur on their order books. That is a matter of convenience, and nothing else.

Q. Then why are these books all checked up?

A. To show that their order has been filled, as to the items they want.

Q. Wherever you have given them something additional, I see you have marked it in ink. Why did you not put that on these books?

A. Because that was their work.

Q. It is not their work where you have put it down, is it? These items the storekeeper has added.

A. I never touched them.

Q: The bookkeeper has, under your direction?

A. Yes, sir.

Q. I see this morning, two items put down in ink?

A. Yes, sir.

Q. They were in addition to the regular order?

A. Yes, sir.

Q. If this was a matter of convenience, why did you check every article furnished?

A. The things that are not ordered daily, are the things that are not found with that check.

Q. What articles have you delivered that are not in those books?

A. Fruits, sweet potatoes, apples and things of that kind. Probably you will find them in some instances, and not in others.

Q. Anything else?

A. I can not recall to memory all of the items.

Q. You put down upon another page, in the handwriting of your clerk, some additional articles ?

A. Yes, sir ; several items added there.

Mr. Fields :

Q. These books are requisitions made by the cook and sent to the store ?

A. That has been the system, and I say only for convenience ; and I further say that they are not complete. It is only a matter of convenience, and I go upon the permanent records. Since March the housekeeper of one of the departments has stopped that, and sent just the usual order.

Q. Why, when the cook sends for so much of one or several articles, do you put down more ?

A. That was probably ordered by telephone.

Q. That is the system of doing business ; they send a requisition for so much, and they telephone for fifty pounds more of sugar, or more rice, or anything of that kind ?

A. That is our orders.

Q. Then there is no system about it ?

A. That is the custom ; those are our orders, to fill those orders from the kitchens.

Q. There is no system for you to work by, except to give the cooks what they order ; there is no system for you to work by ?

A. Yes, sir ; but it is indefinite ; we issue more than these books show. For the month of March the housekeeper continues with the regular issues.

Q. When these requisitions were sent to the store, and they wanted to add an order, was there any means for you to know whether they ought to have these things, or whether they have enough already ordered ; is there any regulation as to what they ought to have ?

A. The Superintendent or the cook may order what they want, and he orders me to fill it.

Q. Does the Superintendent say to you : now here is so much necessary for a certain ward ; so much for a day, of any single article ; suppose the cook orders more, don't you have to give it to her, under the Superintendent's orders ?

A. Yes, sir.

Q. There is no limit then, you are bound to give her whatever she asks for, under the Superintendent's orders ?

A. Yes, sir.

Q. Does he put no check on the cooks, so far as you know?

A. If he sees they are using too much he does.

Q. Has there ever been a time, when the cooks ordered additional from you, and you did not send it?

A. Yes, sir; we probably thought it would be too much, and we would find out, and probably see that she will not use so much of that and substitute something else.

Q. Then they have no fixed limit, so you can know when an order is made, whether or not it ought to go?

A. He does not say to me: give out 100 pounds of sugar, or 500; but, fill my order.

Q. That order comes from, through him?

A. Yes, sir; it may come that way.

Q. Then you cannot tell, in making contracts, how much you will need this month?

A. We do not ask for so much; the way we do that is to make it more or less.

Q. There is no fixed standard by the Superintendent by which you will know how much you will need during the month?

A. It is very general.

Q. Do you run over 1,000 or 2,000 dozens of eggs, or a thousand pounds of butter, in a month?

A. Yes, sir; it may run over or under.

Q. If you were the Superintendent would you do it that way? Is that a systematic way of doing business?

A. It might be more definite.

Q. Don't you think it ought to be?

A. It would probably be better.

Q. Can not other Institutions tell within a few pounds, how much butter they will use in a week?

A. I suppose they can, as we do.

Q. Can not they calculate within a few pounds of how much butter they will use in a month.

A. I hardly think they can.

Q. You know how many people you have to feed?

A. We have it in round numbers.

Q. Is there a variation of 2,300 dozen of eggs from one month to another?

A. In one month we may use a great deal, and in the next month not use so much.

Q. Is there such a thing as a variation of 600 gallons of oysters?

A. I will not say that much, but there is a big variation.

Q. Is there any such variation in decrease as in increase?

A. Yes, sir.

Q. I would like to know when?

A. In the Superintendent's report examined yesterday, you had twenty barrels of apples and in the next month none.

Q. Strawberries would be an instance?

A. Yes, sir.

Q. Take butter, eggs, coffee and tea, do they ever run under the amount, or over?

A. Yes, sir, we use less in one month than in another.

Q. We have not found it?

A. I think you have found it in the case of eggs, running under in one month what they were in another.

Q. In the maximum and not in the medium. In such an article as butter; do you think you could not make a calculation as to how much would be used within 2,000 pounds?

A. I will answer that by saying that these requisitions are a kind of stereotyped way of doing it; it might be better to say 5,000 pounds than 4,000 more or less. It is simply a custom that has been followed; we might make it more definite on that or any other article.

Q. Is there any article used which you are not capable of estimating any closer than that, of general use, every month in the year, every week in the month, and every day in the week?

A. I think it could be ascertained more definitely; I think the way of estimating more or less, could be made more near to the adequate amounts.

Mr. Brown:

Q. You have been there ever since Dr. Galbraith went there?

A. Yes, sir.

Q. They have a private kitchen?

A. Yes, sir.

Q. Known as the officers' kitchen?

A. Yes, sir.

Q. How many cooks have they?

A. I gave that in evidence the other day ; I think it is only one.

Q. Can you tell the number of persons they cook for ?

A. I think there is thirty-six. I gave that in evidence, in writing.

Mr. Hays :

Q. I believe you said that at the time you were appointed, the Board consisted of Mr. Gapen, Mr. Harrison and Mr. Tarleton ?

A. Yes, sir.

Q. Do you know anything about the circumstances of your appointment, as to which members of the Board favored you ?

A. Yes, sir.

Q. Who were they ?

A. I think Dr. Harrison and Mr. Gapen. On my first appointment I did not occupy my present position. I had some duties in the Institution, but not as Steward.

Q. I understand that.

A. When I went there I was supported by all three.

Q. After a while, you were appointed to the position of Steward ?

A. Yes, sir.

Q. Who recommended you for that place ?

A. I do not remember ; I was appointed by the Superintendent. I was probably recommended by the two members. Dr. Fletcher appointed me ; I do not know about the recommendations.

Q. Did he favor your appointment ?

A. I think he did.

Q. Did all three of the Board favor your appointment ?

A. Dr. Tarleton did not—a while after that he did not.

Q. How long after did you learn that ?

A. Probably the following meeting, or the second meeting, I do not remember.

Q. Were you present at the meeting of the Board when he opposed your appointment ?

A. I do not know that I was present. I was in the building.

Q. Were you present when he filed his protest against your appointment ?

A. Yes, sir, I think I was.

Q. Was a copy of that placed on the record of the Board of Trustees?

A. Yes, sir.

Q. I want to read to you this record and see if it is the protest the Doctor filed:

"It became my duty some months ago to protest against the appointment of J. S. Hall as book and storekeeper of this Institution. Believing that my experience in hospital matters gave me a fair knowledge of what the necessary qualifications should be to fit a person for so important a position, and believing that the said Mr. Hall was entirely unqualified for said place, I opposed his appointment in every honorable way as well as I knew how, but the majority ruled and he was appointed. I had more feeling in this appointment than upon any of the many other acts of this Board in which I have been in the minority, some of which questions I have had an opportunity to talk about and vote upon, while others were settled in my absence, and I was allowed to acquiesce or fruitlessly object to.

"I enter my protest at this time against the further retention of said J. S. Hall as book and storekeeper, and ask that he be requested to resign his place within ten days for the following reasons: (1) As book-keeper he does not keep the books and others keep them for him. Some of the books are imperfect and mutilated. (2) As store-keeper he does not receive and inspect the goods purchased in but very few instances during the month, and can not properly judge of them when he does receive them. (3) He is supercilious and arrogates to himself authority that does not belong to him, which leads to mischief, disharmony and bad government. Such as misstatements regarding the sanitary condition of the Hospital, assuming the power to employ, to discharge and fix wages and to purchase goods without authority. (4) Carelessness in disposing of cast-away property, etc. Incompetence leads to extravagance and useless expenditure of funds intrusted to us by a more than generous public. I appeal to you, gentlemen, in the name of a Democratic Board of Trustees, to join with me in the matter which, if not corrected at once, must lead to disaster to the management."

Mr. Hays here read to the witness the protest of Dr. Tarleton against his appointment as Steward, pages 281, 2, 3, and 4 of the Trustees' record of the Board meetings, May 1, 1884.

Q. That was as early as 1884, was it not?

A. I think so.

Q. Is it not true that a large number of goods were bought and delivered that were not contracted for at all in advance?

A. That occurs—

Q. Answer my question.

A. A good many things are bought that are not contracted for in advance, yes sir.

Q. And for which no bids are asked?

A. Yes, sir.

Q. How much?

A. I could not answer as to the quantity.

Q. Are not a larger amount of the provisions bought in that way?

A. No, sir; some months \$40 or \$50 worth.

Q. Does it not run to \$100?

A. No, sir.

Q. Is it not true that persons furnishing goods will, at the end of the month, send in large amounts of supplies for which there is no need?

A. No, sir, that is not customary, it is done frequently.

Q. Is it not true that Sullivan, when he had a contract for furnishing produce, would, at the end of the month, send out large amounts of goods that were not used or needed?

A. I—

Q. Answer my question.

A. Yes, sir.

Q. I will ask you if that was not done under Dr. Fletcher's Superintendency, and if he did not protest against it?

A. Yes, sir.

Q. Why were the goods received at the close of the month, when they were not needed?

A. As I said before, for the end of the month.

Q. Before making your orders for the next month?

A. Yes, sir.

Q. In March you have a contract covering the entire month of March?

A. Yes, sir.

Q. At the latter part of March you make a contract covering the goods for April?

A. Yes, sir.

Q. Then why, at the close of March do you allow a lot of goods to be thrown on you, running largely into the supplies for April, under a contract for furnishing goods for March?

A. A bidder may say to that, you want to run into three or four or five days of the next month, in order for us to get ready for the contract; you should have enough goods on hand to prepare for that emergency; and we did that under more than one requisition.

Q. When you make a contract in March, for April, don't the contract begin on the 1st of April; for instance, Jordan is to furnish produce for April; would he not be entitled to furnish goods for the 1st of April under his contract; and would it not be your duty to order the goods from him for the 1st of April?

A. Yes, sir.

Q. What time in the month of March was that to be let?

A. On the last Friday.

Q. Then there would be plenty of time for him to get his goods?

A. If he had the goods to begin with.

Q. That is not your business. If you let the contract to Sullivan, the last Friday in March, to furnish for April, would you let any other contractor run in a lot of goods, and run through into the next month?

A. Yes, sir, we did that.

A. Yes, sir; we did that. Mr. Budd has the contract for this month and Jordan for April. Mr. Budd delivers goods on the 28th and 29th of the month, and might run into Jordan's contract for the next month; but we do that simply because he makes a contract in some other city for our goods and may want some few days to get ready.

Q. What have you to do with allowing any contractor to run in goods for the next month?

A. The contractors understand that.

Q. Did this not occur more frequently when, for instance, Mr. Jordan had the contract for the succeeding month and Sullivan had the contract for the preceding month; and after the contract was let to Jordan and Mr. Sullivan had furnished the

full amount of the goods than the estimate called for, you would allow Mr. Sullivan to put in, at the closing days of the month, a large amount of goods in excess of his contract?

A. We have received more than we needed for a few days, yes, sir.

Q. Did not that occur when Sullivan failed to get a contract?

A. That occurred very frequently with him and others.

Q. Sullivan did not fail to get the contract very many times, though?

A. No, sir.

Q. At the close of the next month, was the other contractor allowed the same right to unload goods on Sullivan's contract in his month?

A. Yes, sir.

Q. Can you refer us to any month when that was done?

A. I could not.

Q. I wish you would examine and see if at the close of any other month any other contractor was allowed to do that?

A. I will be glad to do that. Mr. Sullivan had the contract more than anybody else; and I will further say as to the matter of his supplying goods at the end of the month, the record may show that he delivered more goods than either of the others.

Q. Then Sullivan got the advantage of that arrangement more than anybody else?

A. Yes, sir.

Q. Why was that?

A. I do not know.

Q. Were not goods frequently sent out to the Asylum by persons for which the Asylum did not contract or order, that were accepted and paid for?

A. I would rather be referred to an item?

Q. Did not Mr. Landers send out a lot of tongues that were not used?

A. I remember of the receipt of them, yes, sir.

Q. The goods had not been ordered, had they?

A. One party said they had, and the other party said they had not.

Q. Did you order them?

A. No, sir.

Q. You are the Storekeeper?

A. Yes, sir.

Q. Did any one else have the authority to order?

A. Yes, sir; the Board and the Superintendent made purchases without authority.

Q. Then he did have authority to do that; I thought he had no authority?

A. He had that authority from the Board.

Q. Does the Board have authority to buy things without bids, advertised for at a regular time?

A. The law says they must purchase by bids, but they claim that right.

Q. How often have they done this?

A. They do it frequently, and the Superintendent does it.

Q. How much of the provisions that have been used there within two or three years have been purchased by the Trustees without bids or regular contracts?

A. I could not answer that.

Q. You ought to be able to answer that. You are the bookkeeper, and it is your business to provide the provisions of the Institution, make the estimates and receive the goods?

A. I make the estimates and they are increased or diminished by the Superintendent.

Q. The contracts are in your office?

A. Yes, sir.

Q. And the bids?

A. Yes, sir.

Q. And the bills for the goods are sent there?

A. Yes, sir; when delivered.

Q. Why can not you give the Committee any idea of goods purchased on contracts and those purchased by the Trustees without authority?

A. Because I would not want to say one-third or one-fourth or what amount.

Q. Is it a matter of so little importance that you do not remember?

A. Both the Board and the Superintendent buy things not on the estimate.

Q. What class of goods have been bought by the Board, without estimates or advertisements?

A. It is generally some outside matter, outside of the matter of the contracts, and sometimes it is not. The matter you refer to I do not remember. It may be to buy one or another item; cattle, hogs, horses or other items.

Q. You knew that was a direct violation of the law?

A. I knew that the law provides that things shall be bought by requisition.

Q. Did you not know that all of those purchases were in direct violation of a specific provision of the statute?

A. It seems to me that if the statute provides that things shall be bought by contract, and they are not bought that way, that it is a violation of the law.

Q. Did you not know and understand at the time that these goods were being furnished in violation of the law?

A. It certainly was.

Q. To what extent has the Superintendent been engaged in the buying of goods?

A. Very frequently.

Q. How frequently has Dr. Galbraith been in the habit of buying goods?

A. I can not refer to the items.

Q. How frequently?

A. Well, sometimes once a month.

Q. In what quantities?

A. Probably in the main, \$10, or \$15, or \$20, more or less.

Q. What quality or kind of goods?

A. Sometimes it is drugs. The Superintendent made a purchase in March. There was a payment for some shirts, I believe, that he ordered; probably a dozen or a half a dozen.

Q. Do you know whether he bought goods for his own private table and house?

A. I do not believe I remember of but one or two instances.

Q. You remember one or two instances when the Superintendent bought goods for his own table?

A. Yes, sir.

Q. When?

A. Within the last year; vinegar and some few other items. That was the largest item.

Q. How were these bills passed on, for an outside purchase?

A. Just as any other bills are passed on.

Q. Who vouched for them?

A. The Superintendent, who purchased them, and then of course they go through the store, and they tell us who bought them or ordered them.

Q. Do you endorse them?

A. Yes, sir.

Q. Knowing that they had not been purchased in the ordinary way?

A. I have done that on the statement of the Superintendent.

Q. Have you ever bought things not contracted for?

A. Yes, sir.

Q. How much was it, and what time have you done that?

A. Every once in a while, as a general thing under the orders of the Superintendent.

Q. Do you understand that the Superintendent ranks you, or you the Superintendent?

A. I understand that the Superintendent is next to the Board.

Q. In the matter of furnishing supplies, contracting for them and receiving them?

A. Yes, sir.

Q. You said that sometimes you did buy goods not contracted for when ordered by the Board. What kind of goods have you purchased that way?

A. Sometimes one article and sometimes another, probably a dozen or two dozen times—fruit or something asked for.

Q. Did you ever buy anything that was not asked for?

A. I can not recall an instance where it was not the desire or wish of the Superintendent.

Q. You say you have never, since you have been store-keeper, bought goods on your own account, not requested by the Superintendent?

A. There may have been some items needed that I did.

Q. How much of those kind of items that you did?

A. It would amount to very little in a year. Maybe once or twice a month.

Q. Does your family live with you there?

A. Yes, sir, my wife.

Q. Is your clothing and your wife's clothing furnished by the Institution?

A. No, sir.

Q. No part of them?

A. No, sir.

Q. Is the Superintendent's family supplied with clothing by the Institution?

A. No, sir, I think not.

Q. I will ask the general question: If, during your experience there as Storekeeper, you have any knowledge of the contracts for furnishing supplies being awarded to any except the lowest bidders?

A. I have not; that would be a rumor.

Q. You do not know of any such case?

A. No, sir.

Q. Not during the whole time you were there?

A. I cannot refer to one.

Q. Do you remember on one occasion when Mr. Jordan came out to inquire about the kind of butter that you used?

A. Yes, sir; I remember that.

Q. When he asked for the kind of butter Sullivan was furnishing, did you not tell him there was none on hands?

A. I do not think I told him that. Mr. Jordan was there where he could see it.

Q. After you had told him this, did he not in opening an ice-chest discover several tubs and call your attention to it, and you explained that you had forgotten it?

A. I think that was a conversation with Mr. Roth.

Q. Do you say that you did not tell him, when he first inquired, that there was no butter there?

A. I might have asked the Storekeeper, or said that it had been used.

Q. Did you not tell Mr. Jordan, when he came out there and said he wanted to see the kind of butter Sullivan had been furnishing, that there was none on hand; that it had all been issued to the kitchens?

A. I do not remember of telling him that; I might have said that it had been taken out of the store, or that he would find it in the kitchen?

Q. Did you not do that to prevent him from seeing the kind of butter that Sullivan furnished?

A. I did not.

Q. Did he not discover several tubs of Sullivan's butter, in opening an ice chest?

A. There was butter there, that he saw.

Q. Do you remember that transaction?

A. Yes, sir.

Q. And the conversation as I have asked you, took place?

A. The wording may have been a little different. I may have said that we had none in there, or that it might be in the kitchens, or that it might be in the elevators. I think he found it at the elevator, ready to go down to the kitchens.

Q. Did he not find it in the ice chest?

A. No, sir; I think it was on the elevator, ready to go down to the kitchens. It was just as we were passing out of the store room, just outside of the store room; and he asked me if that was not the butter, and he looked at that quantity there.

Q. Did he not call your attention at the time, to the fact that this butter was marked fancy creamery butter, and that on opening the butter it was not creamery butter, but only common country butter?

A. He may have said that.

Q. What answer did you make?

A. I do not remember what I said. He may have said it was not good.

A. Did he not, in speaking of that particular butter, which you had received there, and which was marked creamery and fancy creamery, with Sullivan's monogram on it, call your attention to the fact that it was not creamery butter, but common country butter?

A. He may have said in substance that it was not good; I do not remember.

Q. And you insisted that it was creamery butter?

A. I do not think I did, but I will not testify that I did not.

Q. When you saw that butter and your attention was called to the fact that it was not creamery butter, why was it not returned?

A. I did not know whether it was or was not, and if it was not it was not for him to say whether it should be returned or not.

Q. Did you insist that it was creamery butter when he called your attention to the fact that it was not?

A. I do not remember; I may have said that it was as good as usual, or was not as good as usual; or I may have said that it would be returned.

Q. Was any of it returned?

A. I think not.

Q. Did you say it was not for him to decide; it was for you to decide, was it not?

A. I say the Hospital officers and the Superintendent were the ones to decide.

Q. Was it not your business to receive these goods? The Superintendent is not the Storekeeper.

A. I am under his directions, and always have been, and am now.

Q. Did you not, when Dr. Fletcher was there, insist on receiving goods as Storekeeper when he objected to them? And did you not state that it was your business to receive the goods?

A. No, sir.

Witness excused.

WEDNESDAY MORNING, MARCH 6, 1889, 11 A. M.

Dr. W. B. Fletcher next took the stand and testified as follows:

Examined by Mr. Henry.

Q. You may state your name?

A. William B. Fletcher.

Q. Where do you reside?

A. At No. 597 North Pennsylvania street, Indianapolis.

Q. Were you ever connected with the Insane Hospital, and if so, in what capacity?

A. I was Superintendent of that Institution.

Q. When did your engagement commence, and when did it end?

A. It commenced June 3, 1883, and terminated September 11, 1887.

Q. By what Board were you elected?

A. By the present Board of Trustees, with the exception of Mr. Burrell, whose place was then occupied by Dr. Tarleton.

Q. You testified in the examination before the committee two years ago?

A. Yes, sir.

Q. You may state to this committee the cause of your terminating your services with the hospital?

A. I presume it was from the constant antagonism between myself and the Board, for two or three years.

Q. What was that antagonism, what was the cause of it?

A. It was because they took upon themselves the powers of the Superintendent, which caused inefficiency and confusion throughout the entire institution.

Q. Of what did that consist?

A. In the peremptory ordering of persons to be discharged, and the indication of persons to be employed who were unworthy, and maintaining them there, after it was to the interest of the hospital to get rid of them; as well as the method of purchasing, and the character of goods purchased for the Institution, for which the Superintendent is responsible; they taking away all of his powers, or asking him to assume powers he did not have.

Q. What powers did they ask you to assume?

A. Asking me to receipt for goods before the proper time, and to state that they had been received and were of the quality specified; which I refused to do.

Q. Why?

A. Because my observation was that the goods were not of the proper quality. I had no means of knowing the quantity being received, but I thought the prices were more than the market rates for the quality of goods received.

Q. What was the condition of affairs after the investigation of two years ago?

A. It was worse.

Q. In what did it consist, in what was it worse; did you ever sign any of those vouchers or receipts after the investigation?

A. Never.

Q. And your reason was?

A. That inferior goods were paid for at the rate of highest priced goods.

Q. What kind of goods?

A. Particularly meats, butter, eggs and chickens. As to the quality of dry goods and such things, I was not a judge. There were immense quantities of engineers' supplies purchased, more than there was any necessity for.

Q. During this time that these goods were being received which were not of the proper quality, did you protest?

A. Yes, sir, frequently, verbally, to the Storekeeper for receiving them, and to the Trustees in writing, in my reports, that I had daily complaints coming from the wards that the goods used were not of the proper quality.

Q. Where are these reports, have we them here?

A. I guess they are cremated. I do not think you will find any of the Superintendent's reports after that investigation.

Q. From that investigation, up to the time your services terminated?

A. I do not think there is a single instance, except one, when I kept copies of them. One time I went to the store-room to get them, but they were never found.

Q. How often were they made?

A. Once a month.

Q. And you think they are destroyed, or can not be found?

A. I have no sure means of knowing; I have applied for them. I never had an opportunity of searching for them; only to demand them of the Storekeeper after the Trustees' meeting adjourned.

Q. I am speaking in relation to the condition existing since the investigation two years ago?

A. That is what I speak of.

Q. If you think these reports can not be found, or have been destroyed, you may tell the committee the substance of these reports as near as you can?

A. After the investigation the reports were made extremely brief; giving the total number of persons received during the month, and the number discharged; the diet during the month and all that pertained to the moving of the population. Then I reported as to the food; the character and quality of food served.

Q. Tell us of your food report, what it consisted of, the kind of a report?

A. That was as to the quality and amount served, and that it was complained of on the daily ward reports; these ward reports I embodied in my report, and that I had examined the goods and found them unfit for use; that the quality was not up to standard. My wife had charge of inspecting the dry goods for the female department, and frequently reported to

me that their condition was not good ; I did not observe that myself.

Q. Was there any complaint as to the quality of the dry goods, and what was the nature of these complaints?

A. They came from the head of the sewing-room. The goods were usually what are called shelf-worn ; right along the edge, where they are folded, they would be discolored, and sometimes eaten, and it was hard to get a piece out of them ; they were not of the quality specified in the requisition. Sometimes we would get cheaper grades of Canton flannel than we had been using. The order was all right, and the estimate was right, but the goods were not of the quality asked for. Sometimes their condition was so manifest that they would take them away.

Q. When you made complaint, were the goods returned?

A. Very rarely.

Q. What was done with them?

A. They would remain in the store-room until the contractor would bring influence to bear on the Trustees, and they would settle for them, and they would be used for some purpose there around the Institution.

Q. What was the amount or extent of this deficiency?

A. I will merely make a guess, together with Mr. Roth's opinion, that it was about one-fourth ($\frac{1}{4}$) of the dry goods that were not up to standard.

Q. Whose goods were most complained of?

A. I can not tell.

Mr. Howard :

Q. You said influence would be brought to bear upon the Trustees to make a settlement for these goods ; what was that settlement?

A. To pay for them without any deduction for inferior quality.

Mr. Henry :

Q. What were those influences?

A. I can not tell. They would send people out on Board day to persuade with the Trustees, and they would get their intimate friends to come out and labor with them ; and they would generally settle.

Q. Now, in reference to the deficiency in the quality of produce?

A. That was of inferior quality nearly all the time, just as it had been previous to the investigation.

Q. What kind of butter was furnished there under the contracts?

A. I have never seen any butter delivered there, other than country butter, if it was butter at all; it was usually butterine or oleomargarine.

Q. Was that the case with the butter furnished by Mr. Sullivan and by Mr. Budd and Mr. Jordan?

A. I do not know as to Jordan, but I know as to Sullivan's and Budd's, they were the same. I do not remember of Jordan having a contract; if he did it was a small one, and it may have escaped my notice.

Q. You say the butter furnished there was of inferior quality?

A. Yes, sir.

Q. Was it fit for use?

A. It was fit for use, yes; it was such butter as is used over the city by the poor people, but they do not have to pay the same price for it. We were paying for creamery butter never less than 20 and from that up to 35 cents; whereas the same butter could be bought for 14 cents; which fact was frequently pointed out to the Trustees.

Q. Who furnished that information to the Trustees?

A. I did, in my reports, and verbally whenever they were about.

Q. What was the quality of the eggs furnished?

A. They were of the most inferior quality. I have had the cook in the officers' kitchen, and in the kitchen of the family, to count them, and frequently there were but three out of a dozen that could be used. They were eggs that had been stored.

Q. When you were Superintendent of the Hospital, how many eggs were used there in a month?

A. It would depend entirely on the season of the year. During Lent, there would be a large increase in the quantity, and being cheaper they would largely take the place of meat; in October and November we would cut it down materially. I do not remember the number of dozen; I think it ranged from 800 to 1,200 dozen.

Q. I see by the book, for November the amount of eggs was largely increased, amounting to 4,700 dozen for that month?

A. I never knew of its going above 1,200 dozen a month, so far as the estimate is concerned. I do not think I ever estimated them more than 1,200 dozen in my life.

Q. How much butter did you use a month when you were Superintendent?

A. When we got up to 1,500 or 1,600 patients in the house and the employes running it up to nearly 2,000 population, it took 4,000 pounds of butter; that is estimated on the basis of one ounce to every person per day. My estimates were made on the absolute number of persons in the house for that day.

Q. What do you think about the use of 6,000 pounds of butter in a month?

A. It would be impossible, unless they fed them principally on butter.

Q. Can not these estimates be made to a very close certainty as to the amount of butter to be used in a month there?

A. Yes, sir, it should be; it was always estimated carefully at the time, so much butter, vinegar, salt, pepper, flour, bread, coffee, etc., so that I could take my morning report and see so many population, requiring so many pounds of meat, and so many pounds of coffee. The estimate of coffee was excessive and coffee and sugar were sent back in quantities.

Q. Can not the amount of butter used a month, be calculated to a pretty close certainty?

A. It can; it was estimated at the rate of an ounce a day for every person in the house. On Sunday there was sixteen ounces of beef, on Wednesday sixteen ounces, on Saturdays three pounds for three days. On Monday every body in the house would have eight ounces of bacon or eight ounces of corned beef; and on Wednesday, pork, eight ounces; on Friday, twelve ounces of fish, sixteen ounces of bread—which was too much; twelve ounces would do very well but they always had to have enough and a little more;— potatoes, eight ounces on Sunday, ten on Monday, eight Tuesday, eleven Wednesday, eight Thursday, ten Friday and ten Saturday. That was the number of ounces of potatoes issued each day to the kitchens. Other vegetables, four ounces every day. Hominy or Indian meal for making mush, 1 and 60-100; salt, 1 and 16-100 pounds;

coffee, 80-100 ounces; tea, 12-100 ounces, making about a tea-spoonful and a half to each individual. Sugar, 2 and 21-100 ounces; that was an excess; large quantities were returned. Milk six ounces a day the house over; butter one ounce, flour 25-100, molasses 32-100, vinegar, 16-100, dried fruit three ounces.

Q. You say these estimates can be made, as to the amount of food necessary for a month, to almost a certainty?

A. With the same accuracy you could in a family.

Q. And you do not see any reason why any great difference should be made in butter, eggs and poultry for the same month in one year, as compared with the same month in another year, with about the same number of inmates?

A. There would be no difference.

Q. What would you say to using 4,170 pounds of butter in November, 1887, and 6,032 in November, 1888?

A. I can not account for it unless there was a very great increase in the population.

Q. I say with the same number of population, what would you think of such a difference?

A. I would say that they had made a wrong estimate.

Q. What would you say to their using 2,760 dozen of eggs in November, 1887, and 4,740 dozen in November, 1888?

A. I would think they were doubling their provisions, on those things.

Q. What would you think of poultry, 1887, 1,287 pounds, and same month November, 1887, 3,972 pounds?

A. I would say it was in excess of the requirements of the Institution. My estimate was 12 pounds a day, for poultry, in the two houses, to make a special diet for sick persons, and whenever there was an excess of that it was on Thanksgiving, Christmas or New Years, and once, I think, on the Fourth of July, we had poultry; otherwise, we had 12 pounds a day issued to the two kitchens for sick diet.

Q. Do you think there is any necessity for this enormous increase in the use of butter, eggs and poultry?

A. Not unless there was a corresponding increase in the population, no, sir.

Q. Would you count that as extravagant?

A. I would.

Q. Would there be any advantage in changing the diet, and using poultry and eggs, instead of beef?

A. No, sir, not at all. They always have enough poultry on 12 pounds, because we had other meats besides beef to make a variety. The poultry was only for the sick patients.

Q. Who made out the requisitions when you were there?

A. Mr. Hall made out the estimates.

Q. I see the amount of poultry for the month of October, 1888, was 1,953, and for November, 3,972 pounds?

A. That is more than would have lasted the Hospital a year, with the exception of Christmas and New Years. Spring chickens were 30 cents a pound at that time, I think. I think that would have lasted the diet of the whole house a year, with the exception of Christmas and New Years. I think 370 pounds is as much poultry as we ever bought during any month, excepting Thanksgiving, Christmas or New Years, probably 400 pounds.

Q. Under whose supervision are these estimates made out?

A. I was going to say that the Storekeeper, when the end of the month comes, makes an invoice of the things in the store-room; he may have some things on hand. I send him the number of people in the house and he makes out his estimate, by so many pounds to the person, for butter; 4,000 pounds, I think, is about right. Then he puts down the amount of meat, according to the season of the year, as at certain times we make a diminution of the amount of meat used. He makes this out and brings it to me for approval. I frequently found, after I had signed it, that there had been many things purchased that had never been submitted to me at all.

So, if you will look back and find my estimate books, you will find them stamped on the last line. I would sometimes have to throw out some things. In engineer's supplies they would buy enough every month to run the largest machine shop in town, and I would cut it down.

Q. Were these requisitions made out as a matter of form?

A. Yes, sir.

Q. Simply as a matter of form, and never to be followed?

A. They were to be followed in this way: They could buy more or less, or something entirely different.

Q. When you made out the requisitions you would calculate on what you thought you would need for the month?

A. Yes, sir.

Q. Did the amount of goods purchased on these requisitions ever run to and over the amount of the requisitions?

A. They are not allowed more than the estimate; the estimate is very liberal.

Q. What would you say to the estimate running from 4,000 to 6,000 pounds of butter?

A. That is impossible to comprehend, unless there is a corresponding increase in the population.

Q. Ought not the requisition show an increased population?

A. The daily reports would show it. It is not put on the requisitions, but it should be that way. It is made out a certain way, and the bidders make their estimates from this list.

Q. These are made on an estimate of what is issued that month, not absolutely required to be just like it?

A. No, not necessarily.

Q. How ought the issues to compare with the requisitions and the bills for goods delivered?

A. It ought to hold out, comparatively; as in your family if you had so many persons and allowed them so much.

Q. You may state the quality of poultry they usually furnished the Institution, after the investigation, and until the time your services terminated?

A. On Christmas and Thanksgiving day the poultry was very good, excellent; I do not remember in regard to the price; but the quality was good; during the other months of the year, as a rule it was inferior in quality, had been kept.

Q. Did you complain of this fact to the Storekeeper and Board of Trustees, when you discovered it?

A. Always.

Q. And always in your reports?

A. Yes, sir; to the Trustees, Storekeeper and Mr. Hall.

Q. What would they say when you made complaints, especially on the goods furnished by Sullivan; what was the answer of the Board in reference to that?

A. Mr. Hall would say: I have been ordered to receive it, by the Board.

Q. What would the Trustees say?

A. They would sometimes say they would investigate it or talk to Mr. Hall about it, and that was the last I would hear of it.

Q. Did Mr. Hall take much interest in it, or the investigation of it?

A. He always did with the Trustees.

Q. Did you go with them to make the examination?

A. I do not remember, after that investigation, of having any communication with the Trustees, or being with them much. My communications were in writing. They met at the Trustees' office. Sometimes I would call there and explain something regarding my report. I pointed out the pig tongues that were delivered there and were not good.

Q. What did they do when you reported that?

A. They quarreled about it among themselves, and afterwards made an entry on the book that they would pay for that 25,000, but would not buy any more.

Q. From whom did they get them?

A. From Mr. Landers, they were never ordered by anybody.

Q. You did not order them?

A. No.

Q. Nor Mr. Hall?

A. He said he did not.

Q. Were they received by him?

A. They were received by him, and issued by him.

Q. What was the quality of them?

A. They were pig tongues, and were cut off with all of the upper part of the throat, making them weigh three or four pounds more; you paid for twice as much. They were not cleaned, and the tongue was filled with refuse the hog had on it when he died. That was after the investigation; I think it was in the month of May or June, 1887.

Q. How many pounds were there?

A. There were 43 or 44 barrels or hogsheads.

Q. What was the amount of the bill?

A. I do not know, it can be found in the book.

Q. Were they fit for use?

A. They could be used after they were cleaned. They were expensive food, and not liked as a general diet. Two weeks after the Board said they would not be received, they sent up two dray loads more. I told them not to receive them, and stood there until they drove off, fearing they would be received. That was after the Board made the settlement and said no more should be received.

Q. Were dealers in the habit of forcing goods on the Institution?

A. Yes, sir.

Q. Who?

A. Mr. Sullivan, at times, whenever he wanted goods sent out there. I think Mr. Hall bought a wagon load of rabbits in the month of April, that had been stored away in a store-room. I examined some of them and they were not fit to be used. I ordered them sent away, and I understand that some of them were sent away, and that the others were used, in soup, at the male department. They were softening.

Entry in Record of Board Meetings, with reference to the pig tongues:

"March, 1887. Pig tongues delivered by Landers & Co., 47 barrels, shall be retained and used, and that Landers & Co. be notified that as the matter stands, the Asylum will receive no more of said meats."

Q. Was this about the same time that the wagon load of rabbits came out?

A. Yes, sir. I do not know where Mr. Hall bought them; I think John Sullivan unloaded them on to him.

Q. You say Hall was in the habit of buying, frequently, and without authority, goods from Sullivan?

A. Yes. I cannot refer you to so many instances since the investigation as before. Before that I would watch more carefully and he was more directly under my observation. After that, whatever he did, he and the Trustees settled among themselves. It was a matter with the Trustees entirely.

Q. Did he ever write an order without your authority?

A. No, sir; neither did the Trustees.

Q. Would he order an additional amount of butter and eggs without authority?

A. Yes, sir.

Q. Would he not consult you about it?

A. No, sir.

Q. Did he order them without authority?

A. Yes, sir. He would frequently go in town and buy other things. He bought a copying press, and did not get a book with it. He said he bought it to put papers under; he did not know it was a copying press, and bought the press without the book. Gapen and he had a terrible racket over it.

I think it was paid for. He would go to Burford's and buy large quantities of ink-stands, and stationery, and goods not estimated for, and knives and things of that kind, and distribute them around through the departments; things that nobody thought of ordering, and usually they were of an elaborate and ornamental kind.

Q. Anything else you can think of?

A. There were so many purchases that I knew nothing of, I do not know whether they were purchased with authority or not. He usually said that Mr. Harrison or Mr. Gapen told him to buy them. That was what lead to the constant conflict between the Trustees and myself, was their giving orders contrary to my instructions, and not entered upon the book at all. They would call the carpenters away from the work I had ordered done, and tell them to do something else, perhaps contrary to my instructions, which left the Superintendent, as Mr. Gapen said, "A damn figure-head."

Mr. Brown :

Q. Do you know how Hall got his clothing?

A. I have heard of his receiveing presents, but I never heard of his taking any from the Hospital.

Q. Was it from clothing houses here in the city?

A. I think Kirwin, Stoddard & Co., of Philadelphia; and he frequently had new clothing given to him by persons here in the city. I would see him wearing it.

Mr. Henry :

Q. Do you know of the members of the Board receiving presents of that kind?

A. No, sir; I do not know of any member of the Board ever receiving anything.

Mr. Henry :

Q. So you think the Institution was managed very badly from the time of the last investigation?

A. From an economical standpoint it certainly was, for \$18,000 can carry that institution every month in the year, by discharging persons not needed, cutting down the number of inefficient persons, and removing persons that ought not to be there, that ought to be kept at home. I could give the names of persons there who have money enough to support them, but there is pressure brought to bear to keep them there.

Q. From whom does this pressure come?

A. From Senators and Representatives. To-day, the entire expense for keeping the insane could be cut down one-fourth, by adopting the plan of compelling persons having an estate to pay the absolute cost of keeping them. Every other State does this. We have had some of the wealthy people of the State out there who even drew their clothing from the State.

Q. Whose fault is that?

A. That is the fault of inefficient laws that do not cover that part of the ground. Another thing is the easy commitment, the manner in which persons are committed as insane, and which causes those who receive fees in the matter to hunt the county over to find people to send here.

Q. They only remain a short time, do they not?

A. Yes, we send them away. A tramp gets off of a box car down here, and plays insane for six or eight hours, and is taken up to the station house, and in the morning they will send him to the Hospital from the station house in a hack, with \$40 worth of clothing, and he will probably be discharged in forty-eight hours as not being insane, after having cost the county about \$120 for clothing, hack hire, legal, and other expenses connected with the commitment. They come there from remote portions of the State, similar cases sometimes costing as high as \$62 for transportation alone. There are a great many things of this kind which I think are defects of the law.

Q. Does not the Superintendent have power to prevent that if he chooses?

A. Yes, but he can not see the patient until he arrives there. He does not have to keep them.

Q. I mean regarding those rational people?

A. Yes, sir.

Q. Is not that his duty?

A. I have tried that, but never succeeded in getting rid of the man. They will bring testimony that the man was very insane at home; and the Trustees would say we had to keep them because so and so wanted it done. I think it would clean out the hospital nearly half, if they had to pay for patients. I do not think we can weed out this class until we make stringent laws regarding commitments, and not allowing non-residents to be sent out there. We have had people there from California, Ohio and Illinois, that have been picked up at the depot and sent out there. We had an Indiana man sent back there

from Pennsylvania; they paying the expenses back, and drawing on the man's county, and got the money; and in several instances patients have been shipped from Cincinnati, that belonged to our State.

Q. Under a proper management of the Institution, how much ought the number of patients to be reduced; what would be your opinion?

A. I suppose, in reality, 1,400 patients would make that hospital about right, from what I have understood. One of the physicians who left there in the fall, told me they had reduced the population to about 1,400. I was making complaint of a patient being sent from Indianapolis to Logansport. I asked him if they had room, and he said they had only 1,400 bona fide patients in the house. That was a physician who was there, and who ought to know what he was taking about.

Q. You spoke of differences between you and the Board, with reference to employes? Tell us what kind of inefficiency you observed there?

A. It was mostly what I spoke of, that would create trouble in an army regiment. If there was a conflict of authority in a regiment you know how that would be. Those who had no right whatever in the work of the Superintendency, meddling with it. The Trustees would tell me to name certain persons for appointment. I thought they were inefficient, and that they were merely put there to live there and draw a salary, and take it easy. I could not get rid of them. I would discharge them, and they would be put back again. The Board insisted it was not my business; that I was to treat the patients and attend to the medical department, etc. They would call a consultation with the carpenter and engineer, neither of them qualified to fill the position; they would call them into consultation as to how this or that matter should be mended in the Hospital. They could have done that by giving their orders through me to the men. The law provides that all complaints shall be submitted to them in writing, and that their orders should be issued through me. On the contrary, they interfered directly and at all times, giving their orders personally, and ordering that this or that person should be discharged, which was in violation of the statutes. They ordered people discharged who were efficient. Mr. Stewart was discharged, and he was the best engineer we ever had. These things were

done by order of the Trustees, which should have been done through the Superintendent. These things prevented the proper use of authority in conducting so large an institution.

Q. Did that interference affect the interference of the force; if so, to what extent?

A. It affected their efficiency very materially in all those points where patients were directly concerned. It kept persons in contact with patients, who were unreliable as night watchmen, and attendants who were held there by some magnetism; no matter how many times discharged, they were put back. There was one instance of a man who was discharged, and put back; and then afterwards resigned, with threats that he would be back as soon as he got me discharged. He was afterwards employed by Mr. Hall, put into the store-room to work, his name was never on the pay-roll, and he was paid for his services. He was the son of ex-Senator Howard. The voucher was drawn without mention of what the services were; and \$47 was paid for services that had never been rendered, to a person whose name was not on the pay-roll. Such matters were not uncommon. They also increased the wages of persons who were unworthy, it being favoritism and not worth.

Q. How about the efficiency of the force; in what were they inefficient; what were their habits?

A. Some of them were not fit for the positions, not qualified by nature or education, and were not interested in their work.

Q. Once an employe, always an employe?

A. It depended upon whether they had given any testimony against Mr. Hall, or the Trustees. When Mr. Hall said to a young man that his head would go off, it tumbled.

Q. When he said a man had to go, he went?

A. Yes. If he wished to employ a man without my consent, he did so. There was a man by the name of Burns, whom I discharged, and the first thing I knew he was back on the farm.

Q. There was a constant conflict of authority?

A. All the time.

Q. They wanted to control, and wanted Mr. Hall to manage things that belonged to your department, and you asserted your rights?

A. Yes.

Q. That was the ultimate cause of your retiring from the Institution?

A. I presume it was demanded by Mr. Sullivan, directly.

Q. How do you know that?

A. From Dr. Harrison telling me so, and Mr. Roth telling me so. Mr. Roth came to my house after I had retired. He called me down and told me that John Sullivan was at his house, and that I would be put out to-morrow, because I had refused his goods and said they were not up to the standard, and that I had said he was a liar and a thief; and that he would have me put out, or he would impeach the Board the next day. I told Mr. Roth I did not care anything about Mr. Sullivan, and that he could put me out as quick as he pleased. The next morning Dr. Harrison came out, pale and anxious, and said John Sullivan had demanded my removal, or he would impeach the Board. I told him not to fret about it. He walked the floor and finally laid down on the lounge, and was sick for a day over it. He said he would see John Cooper and Frank Landers and get them to talk to Sullivan. I told him I was sorry he was putting himself to that trouble. He seemed to be more anxious about the impeachment of the Board than anything else. Whenever Sullivan came out there and made a demand, it was complied with.

Q. When was this?

A. I think that occurred about a month before the last investigation.

Q. I thought you said one reason of your discharge was on account of Sullivan?

A. He demanded it and was working it up strongly. Mr. Branhäm, Representative, told me that Sullivan was after me, and that I would be put out. Mr. Roth came to me and said: "Dr. Galbraith is going to be your successor, and it is all arranged and fixed up."

Q. Do you know whether Sullivan took an active part in it?

A. I only know by hearsay.

Q. Did Dr. Harrison or any of the Trustees tell you that he demanded it?

A. No, sir, not after the investigation; it came to me from Mr. Roth, the Assistant Storekeeper, in June, when Dr. Galbraith was here attending the Medical Society.

Q. To return to the point about the employes; do you think they are too many, or were too many when you were there?

A. Yes, sir.

Q. How many?

A. There was a sewing-room in the male department, which ought not to have been there, with a number of persons employed which I did not get the Board to remove until a month or two prior to my removal; then they closed it up.

Q. Do you remember how many employes there were altogether out there?

A. It run, I think, about 300; from 275 to 300, at different times.

Q. You think that was too many?

A. In certain departments; take the Porter at the male department, he and his wife, there was no use for them; he was reported to the Board of Trustees frequently for different offences. There was no use for Mr. Hall and his wife; they employed a book-keeper and a storekeeper; there were two persons drawing \$1,200 a year.

Q. Could the Board get along without him?

A. *This Board could not.* And so on through the many departments, persons kept as figure-heads, with no duties to perform, or whose duties were performed by some one else, or, generally, not performed at all; and many persons hanging around the building who had to be provided for. The ironing room at the male department could dispense with the head of that department, and it could be carried on as well as in the female department, without a head. The laundry woman could take charge of the entire department.

Q. Did you complain of these things in your reports?

A. Over and over again I requested that they reduce the number, and that these parties were not needed. The sewing room, I specified, could be abolished. It never ought to have been kept there; it never was required, and was a very great expense.

Q. Can you tell in round numbers how many employes they had that were not necessary?

A. If you could pick them out where they are not needed you could probably diminish them twenty. I do not know how many matrons they have; they used to have five. I always said that one at each building was sufficient. The

head carpenter there now is not a carpenter, and never was; never learned his trade. He was a preacher and a farmer in Boone County before he came there. He has done more botch work than a good carpenter could make right in two years.

Q. How many of the employes are from Boone County?

A. I do not know exactly; a large number.

Witness excused, and Committee adjourned until the afternoon.

WEDNESDAY AFTERNOON, MARCH 6, 1889.

Dr. Fletcher continuing said:

Q. What was the condition of the Hospital and the kind of treatment of the patients during the past two years?

A. I think it was exceptionally good.

Q. You had special charge of that department?

A. Yes, sir.

Q. In relation to the management of the patients?

A. I had the entire control.

Q. Did you have any trouble with any of the Board?

A. With the exception of the breaking up of the training that I had for the purpose of training patients we had no disagreement.

Q. When did you establish that school?

A. I think it was in 1886. I first established it in the female department and proving a great success I afterwards established it in the male department in which I had from fifty to one hundred and fifty pupils.

Q. What was the purpose of that school?

A. The purpose was to entertain a certain classs of patients and at the same time to instruct them and to improve their moral keeping and it was a great deal of recreation to them, and at the same time arranged a system of control.

Q. Did it prove successful?

A. Yes, sir.

Q. How long did it continue?

A. About two years in the female department and I believe only one year in the male.

Q. State why it was discontinued?

A. The Board wanted me to discharge some of the teachers and I said I would not do it; that these teachers were good

teachers and they have managed the school successfully and I did not feel like appointing inexperienced persons in their places, and the Board finally abandoned the school upon the plea of economy.

Q. Was that an extra expense to the Institution?

A. There was an expense of about 40 dollars a month in the male department and I think about the same as an attendant in the other department, about \$10 more than the cost of 4 attendants.

Q. Was there any saving of labor after the disbanding of the school?

A. No, sir.

Q. Was there any other method used?

A. Never but the one since, as I understand.

Q. You may describe the training school?

A. The training school was for the purpose of instructing the attendants and they were required to go through a systematic course each week and have written examinations. The instructions were given by the medical board and each one took a different subject and discussed it.

Q. When was it established and when was it discontinued?

A. It was established in September 86 and was discontinued in June or May.

Q. Was it successful?

A. I considered it highly so.

Q. Why was it discontinued?

A. I don't know, the Trustees did not encourage it.

Q. Who discontinued it?

A. Well, I did.

Q. Was there much demand for the increase of wages during your time?

A. Well, there was hardly any one that demanded an increase and if there was, it was in some of the outside departments.

Q. Whose duty was it to recommend it?

A. I don't think that I recommended any increase.

Q. Not during your services there?

A. I don't remember of anybody asking for an increase; they generally arranged that with the Board themselves.

Q. Were there any articles sold from the Institution?

A. Yes; there was some rags, soap-grease, barrels, boxes and old iron sold.

Q. Who did the selling?

A. Mr. Hall.

Q. Did the selling amount to much?

A. Not to a great deal, perhaps; about \$150 a month.

Q. When was the frame of the carpenter shop sold?

A. My impression is that it was in the spring of '86.

Q. The money that was received for this did it pass through your hands?

A. I don't remember of receiving any money for it.

Q. What were the habits in reference to the selling of articles and to the turning over the money for it?

A. Well, he would simply make a statement to me of the items sold, and I would make a statement of them and turn the money over to the treasury.

Q. Did you know anything about the management of the labor, or that part?

A. I know nothing about that part.

Q. During the last two years of your administration what improvements that were necessary for the Institution?

A. I don't remember of any.

Q. Do you remember of any large purchases that were made outside of the regular course of business?

A. Well, it very frequently happened that they needed some things that they did not receive bids for and would purchase them.

Q. Do you remember any purchases that amount to anything?

A. Well, there was a purchase of carpets made by Dr. Harrison and as to whether he took bids or not, I cannot say.

Q. At any time in the month?

A. Yes, sir.

Q. Without having consulted you about it?

A. Yes, sir.

By Mr. Fields:

Q. Do you remember the amount of whisky that was purchased and consumed by the Institution while you were there?

A. During the two years there was probably about 25 gallons per year.

Q. Do you regard that as sufficient?

A. We only used about a half a barrel a month when the Hospital had 1,000 patients.

Q. Was there any special necessity for that?

A. None whatever.

Q. You say that in ordinary circumstances that 25 gallons for 1,500 patients would be sufficient?

A. I think that is all that is necessary.

Q. I will ask you if in your opinion whether or not 20 gallons a month at \$3.50 to \$4.00 is necessary?

A. I don't think that it is necessary; I don't think that any whisky is necessary.

Q. No difference in your ability to treat disease?

A. None.

Q. Then in your opinion 20 gallons a month would be extravagance?

A. Yes, sir.

By Senator Howard:

Q. I think you said this morning that 1,200 dozen eggs per month was sufficient?

A. Yes, sir.

Q. The issue during January was 2,870 dozen; do you think that was excessive?

A. I think it is.

Q. As to the butter how much would it take per month?

A. Exactly 4,000 pounds for 1,600 patients and 300 employes.

Q. Now, in the January issue the amount is 5,078 pounds?

A. I think that is 1,058 more than they can use.

Q. Now I will ask you about this scalding of one of the patients in a bath; could that happen without negligence?

A. It certainly could not as the patients are not allowed alone in the bath-room nor with any one except an attendant.

Q. Did it occur while you had charge?

A. Yes, but did not end seriously to the patient.

Q. What action in regard to the attendant was taken?

A. He was discharged.

Q. In no case were they permitted to remain in the Hospital?

A. No, sir.

Q. I think you said that from your knowledge of the Hospital that it could not occur without neglect?

A. I don't see how it could.

Q. You say that the rule is that the key must be taken away and in no case are the patients allowed to bathe themselves?

A. Yes, sir.

By Mr. Henry:

Q. Do you know Dr. Thomas?

A. Yes, sir.

Q. How long have you known him?

A. Since January 7th, '83.

Q. State your judgment as to his efficiency and as to his conduct in the Institution?

A. I think, as an executive officer in the house, he is a very good man, but as a physician I don't regard him so well, and outside I don't regard him at all.

Q. Did you know and have that feeling in reference to him when you were connected with the Institution?

A. Yes; I had to reprimand him for discourtesy to patients, and outside of that he was a very ordinary one.

Q. So the complaint was largely on the discourtesy to patients and visitors?

A. Yes, sir.

Q. What was his habits as to drinking?

A. I never saw Dr. Thomas drunk in my life.

Q. Did his drinking interfere with his duties as officer?

A. I have never seen it.

Q. How is his moral conduct? Do you know anything against it?

A. No, sir; I never knew of any stain upon his character in the Hospital.

Q. You say you have known Dr. Thomas since '83, and in regard to the accusations you say that they are unfounded?

A. I don't believe there is any foundation for them at all.

Q. How many kitchens have they at the Hospital?

A. Four.

Q. Who are cooks in these kitchens?

A. I can not tell you; I think the same ones are there as when I left.

Q. Where is the officers' department?

A. It is in the central portion of the building.

Q. How many persons are supplied from the officers' kitchen?

A. At ths time I was there there were about thirty, and in the other one about twelve.

Q. What do you mean by the officers' kitchen?

A. It is the Superintendent's kitchen.

Q. That is the one that would correspond with Mrs. Galbraith's?

A. Yes, sir.

Q. You say there were about thirty that dined at that table?

A. Yes, sir.

Q. Who were those that dined there?

A. There was all the medical staff besides my own family, about eight, and there were more or less visitors through the month.

Q. Who made requisition daily for the officers' table?

A. Mrs. Smith, the Superintendent's Clerk, usually made out the requisitions in the female department, and the other was made out by Dr. Thomas and were sent over to the office and were signed.

Q. Were the same requisitions made out for the officers as the patients?

A. Yes, these were sent to the Storekeeper and he issued them.

Q. Was it his duty to fill them as they were made out?

A. Yes, sir.

Q. When they went there did they get considerable more than the order called for?

A. No, sir, unless they were out of certain things, as for instance, if they were out of peaches they would probably give them apples.

Q. Suppose the requisition was for sixty pounds of sugar, would they be allowed to get 100 pounds?

A. No, sir.

Q. Were these requisitions all for the same amount daily?

A. Very nearly alike.

Q. No need of ever going over that?

A. It was always abundant, and would be enough of any kind.

Q. Did you make it your business to watch over that part of the work?

A. Probably once a week I would look over the requisitions; my daughter had charge of that part.

Q. How much sugar should be allowed to a person per day?

A. Well, I think an ounce was issued to each individual per day, and then sugar would accumulate.

Q. What do you think of using 829 pounds in one kitchen?

A. I can not see how it was done.

Q. How much coffee should be used in that department?

A. Five pounds to the 100 persons daily.

Q. What do you think of using 200 pounds per month?

A. I think it was a great excess.

Q. How much butter should be used for thirty-five persons?

A. Thirty-five ounces per day.

Q. Does that include for cooking purposes, too?

A. Yes, sir.

Q. What do you think of using 223 pounds per month for thirty-five persons?

A. I should think it was a great excess.

Q. Of course, you calculated upon visitors?

A. Always.

Q. How much would this be increased by visitors?

A. The average, I think, would be about three a day.

Q. About forty persons?

A. Yes, sir.

Q. One hundred and twenty dozen eggs per day would look like an excess of eggs, would it not?

A. It would if they were good.

Q. Why do you always qualify by saying if the eggs are good?

A. Because the eggs were bad; I have seen only 2 or 3 good ones out of a dozen.

Q. How much tea ought 40 persons use in a month?

A. I would give about one-fifth ounce per day to each person.

Q. Upon that basis how many persons ought 15 pounds a day in 30 days supply?

A. I cannot tell.

Q. What was the basis that you issued coffee on?

A. I allowed 5 pounds to each person.

Q. Did I understand you to say that \$18,000 a month was sufficient to run the Institution?

A. Yes, sir.

Q. The appropriation is \$21,000 a month?

A. I think that they drew \$22,000 per month ; during the continuing appropriation two or three large sums of money were spent in ways that did not appertain strictly to the patients.

Q. Do you remember how many patients you had on furlough?

A. I think that the run about 85 or 90.

Q. How many patients did you have on the rolls while you were there.

A. I think probably about 1,520, somewhere along there.

Q. About 1,430 was about the average there to be fed?

A. Yes, sir.

Q. What is the capacity of the Institution?

A. Its capacity is intended for 1,400 patients, but we made some changes that gave us more room for the patients.

Q. What book is this?

A. That is the officer's requisition book.

Q. Whose work is that?

A. It is, I think, Miss Eva Smith's.

Q. These requisitions are signed by you?

A. Yes, sir.

Q. How long did that continue?

A. All the time I was there.

Q. That is issued at what kitchen? (Showing book.)

A. It was for my own kitchen.

Q. That corresponds to the kitchen of Mr. Galbraith?

A. Yes, sir.

Q. Your average draw of coffee was what?

A. One and a half pounds.

Q. Did that supply all the persons?

A. Yes, sir.

Q. How could they use ten pounds a day?

A. I don't know.

Q. I will ask you if this is your entry in this book, dated May 2nd, '87?

A. Yes, sir.

Q. Who established that system of requisitions?

A. I think I did.

Q. Now, what was this requisition for? (Showing book.)

A. The Superintendent's kitchen.

Q. How much butter should be issued in the general kitchen?

A. One ounce to each person.

Q. Were the patients sufficiently and well fed while you had charge of the Institution?

A. I think they were.

Q. Under your system the Storekeeper had one book that he took to the kitchen?

A. Yes, sir.

Q. They would make them out and you would sign them?

A. Yes, sir.

Q. It seems that the cooks have no book at all?

A. It seems so.

Q. Do you think that they correspond as to quantity?

A. They don't as to quantity.

Q. In the management of the Institution while you were there, did you require such a system of book-keeping that the Storekeeper was required to take a receipt for all that went out of his store and a record kept of the amounts?

A. These books should show exactly the number of pounds sugar used and the number of pounds on hands.

Q. All these books should show this state of affairs?

A. Yes, sir.

Q. Then these pass books should check with the Storekeeper's book?

A. Yes, sir.

Q. And by looking over these books one could find exactly the amount used every month and amount on hands in the store-room and how much was purchased and where it went too?

A. Yes, sir.

A. A proper management of the Institution would require that done?

A. Yes, sir.

Q. Failure to do that would be neglect upon the part of the management?

A. Yes, sir.

Q. If that system was carried out we could trace every thing that went out of the store-room?

A. Yes, sir.

Q. Are any of these pass books signed by you? [Showing pass books.]

A. No, sir.

Q. How should the general kitchen book be signed?

A. In my office.

Q. And if the Superintendent did not look after that he was neglecting his duty?

A. Somebody was neglecting their duty.

By Mr. Fields:

Q. I understand that during your administration the book-keeping was in such shape that the book-keeper could tell you at any time how much coffee was on hands and the cost of it?

A. Yes, sir.

Q. Suppose you were to ask the bookkeeper how much coffee was on hand and he would say that he could tell you by looking at the bags, what would you think of that kind of statement?

A. I would think that was very imperfect.

Q. Everything was entered upon the ledger?

A. Yes, sir.

Q. And he could strike a balance at any time and tell you how much was on hands?

A. Yes, sir.

Q. Could there be anything like economy in any other system?

A. No, sir.

Q. Suppose the cooks make a requisition and send to the Storekeeper for so much coffee and butter and enters it upon the book and the Storekeeper transcribes it on his book and the cook telephones up to the Storekeeper to send down 50 pounds more, upon what propriety could the Storekeeper issue that amount?

A. He could not do that until the cook had sent up to the Superintendent's office and got a written order for that amount to be applied on the book.

Q. It would be possible under that system to conduct the Institution just as to conduct an army of men?

A. Yes, sir.

Q. And in making the allowance to the patients it was done on the basis of the army hospitals?

A. Yes, sir.

Q. If the cook has 30 patients in the ward and wants a supply of coffee, is there any necessity for her not knowing exactly how much they want?

A. No, sir

Q. Now if they do know, is there any propriety in not knowing how much coffee they would need for that month?

A. They could know exactly.

Q. And also return all excess of what was needed?

A. Yes, sir.

Q. Do you know whether or not the amount of eggs used was greater or less in any month?

A. It was always greater in March, May and June.

Q. How about poultry?

A. It was never served except at Christmas.

Q. Was there any such a place as a dead house at the Institution?

A. Yes, sir.

Q. Where was it?

A. It was formerly the pump house. In the female department they never had any. They used one of the air spaces for that purpose.

Q. What was that for?

A. To put the dead bodies in when they died.

Q. Was there ever any put there before they died?

A. No, sir.

Q. Would there be any propriety in putting them there before death?

A. No, sir; I don't imagine that it was ever done.

Q. If a woman should be placed in there, being alive, how would you regard that treatment?

A. I would simply get a shotgun and kill the person that done it.

Q. Do you know, during your administration, of any collusion between bidders to put up prices?

A. I have no knowledge, but circumstances sometimes made me think so.

Q. What circumstances was there?

A. At times when I would go out in the hall during the meeting of the board Mr. Sullivan would be standing out there talking with Mr. Harrison. One time when the bids were being opened Sullivan had no bid, but he was standing out in the hall, and Dr. Harrison went out in the hall and came back in a few minutes and hung over the table and found a bid from Sullivan which was lower than the other bids that had been

opened. I objected, as it was contrary to the rules. The next time was the Christmas of 1884. Dr. Harrison was not there, and Mr. Gapen was in Arkansas, and Mr. Burrell was keeping books, and we had a communication to open the bids and let Mr. Burrell approve them. There was one bid from a man named Krause, at Columbia, and one from Sullivan. When we went to open the bids there was only the Sullivan bid. I told them that I knew there was another bid, as I had seen it, but the bid was spirited away, and I would not have anything to do with it and left the room, and Sullivan got the bid instead of Krause. I did not ascertain whether the bid was lower or not.

Q. When was that?

A. I don't remember whether it was in May or June. Another time, when we were opening bids, a number were assigned to me to open and among the many was one of Sullivan's for butter, and it was the lowest bid and I marked across the top "accepted." Sullivan's bids were always made out in pencil, I followed up the bids and found that it was about one-fourth cent lower than Budd's; the next week I went out to the Hospital and asked to see Sullivan's bid, and I found that it had been raised. I reported the matter to Dr. Harrison and the other Trustee, and they said they would look into the matter, but that was the last I ever saw of the bid.

Q. You still had Budd's bid there?

A. Yes, sir.

Q. You could see that the bid had been raised?

A. Yes, sir.

Q. You say that you called the attention of the Trustees to the matter, and they said they would look into it, but Sullivan furnished the butter?

A. Yes, sir.

Q. Did he furnish a larger amount than was estimated?

A. I think it was.

Q. Was that necessary?

A. I don't think so.

Q. Do you know what came of the butter?

A. No, sir.

Q. You don't know whether the butter was delivered or not?

A. No, sir.

Q. Was it common to run in coal without weighing the coal?

A. It was common during one winter.

Q. The same was true of flour?

A. Yes; one time he sent out a lot of flour that was bad; the baker said that he could not make good bread out of it, and I ordered it not to be received, but they still kept sending it.

Q. Do you remember who was furnishing it?

A. I do not.

Q. When was that?

A. I think it was in 1885.

Q. Any other time?

A. One time they brought a load of meat out there; I think it was about April or March, 1887; it came out in a dirty wagon, and it was raining, and there was a regular steam arising from it; instead of leaving the meat to cool it was brought out still hot, and was of bad quality. I reported it to the Trustee, but the meat was still received.

Q. Do you remember when that was?

A. I think it was in March.

Q. About this bid that was raised; do you remember anything that was said upon that subject?

A. No, sir.

Q. I will ask you if it was common for Sullivan to be in the room when the bids were opened?

A. I can not say, as I never visited the room but twice in the two years that I was there. I never saw him in the room, he was always around in the building somewhere.

Q. Do you know anything about Mr. Hall's qualifications as to being able to judge of the quality of goods?

A. He may have become an expert, but at the first he did not know anything; for instance, he bought snow shovels in June. He generally bought anything that he was asked to.

Q. I will ask you if the females had any taste in dress?

A. A very large number have always behaved better when they were well dressed, and the more you interest them in their dress the better they are.

Q. If women had any taste when they came there they retained that taste?

A. Yes, sir.

Q. And it would be bad policy to abandon it?

A. Yes, sir.

Q. Mr. Hall, you think, would not be a proper judge of female goods?

A. I say at first he would not, but he may have become better able to.

Q. Do you know anything of his ability to judge of groceries?

A. I don't know in regard to that; he seemed to be satisfied with the peaches, and would accept them.

Q. Do you know anything about teas?

A. No, sir; that was always bought by sample.

Q. Do you think Mr. Hall was competent to judge whether or not the tea came up to the sample or not?

A. He always had the samples there, and often got beat in the teas.

Q. In the way of clothing, how is his ability to judge of that?

A. In regard to that there was so much blue jeans ordered, and it was cut out by a board pattern and all alike.

By Mr. Conn:

Q. I will ask you in reference to your leaving the Hospital if your name was presented to the Board?

A. I was simply dropped. I had a letter from Dr. Harrison stating the matter would come up in August, and if a new Superintendent was to be elected he would let me know. He never let me know anything about it, and I was dropped. I think it was in June that he said to me that if I would discharge Dr. Browning and Dr. Howard I will see that your place is made safe. I told him that I would not do that as Dr. Browning had served a long time without any compensation and that I did not think it was right to put a man out and put one in that was not qualified for the place. I got a letter from Mr. Burrell stating that he was ready to vote, that is to turn me out.

Q. Then the only excuse that they gave was that you would not obey orders?

A. Yes, they gave that as a reason; they never gave a single other reason for it. They said that they expected me to move that night, as Dr. Galbraith wanted to take possession right away. I moved away, and that is the last I had to do with it since.

Q. Do you know Dr. Wiles?

A. Yes, sir.

Q. Was he a pretty good officer?

A. I think he was; I think he was a good physician, but I think he has a great deal to learn as a specialist.

Q. What are his habits?

A. Always good.

Q. Never knew him under the influence of liquors?

A. Never.

Q. What was the druggist's name out there?

A. Jamison.

Q. Do you know whether he is employed as druggist there now?

A. I think he is.

Q. Was he in the habit of taking chloroform?

A. Yes, sir.

Q. In excess as to unfit him for business?

A. It would be this way: He would get a toothache and he would use chloroform to relieve it, and he would keep it up for several hours.

Q. How often would he get a toothache?

A. Once or twice a month, probably.

Q. Never saw him use it so as to render him unfit for duty?

A. No, sir, and don't think he was in the habit of doing so. He was a very valuable man in the Institution; he kept the telephone in order, etc.

Q. Was Dr. Stockton employed at that time?

A. Yes, sir.

Q. How do you regard her?

A. Well, there is one physician that I don't know, and of all the rest, she is far superior to any of them; and she knows more about the treatment of disease than any one there. Of course, she has been there longer.

Q. Now, Doctor, if there is anything that would be of benefit to the Committee, you are at liberty to tell it?

A. I think there is nothing that I desire to say.

Witness was excused.

THURSDAY MORNING, March 7, 1889.

Mr. Hall continued his testimony, as follows :

Mr. Henry :

Q. Of whom have you ever received clothing, as a gift, since you have been in the position you now occupy at the Insane Hospital?

A. We have dealt exclusively with two firms in the city; D. P. Erwin & Co., and Murphy, Hibben & Co., and occasionally with a Philadelphia firm. The orders were made by the Superintendent, and I have not, in any case, received from any of them to the amount of a straw, and I feel disposed to say that any person connected with the Institution who has testified to such things has testified falsely.

Q. State what you know of the drinking of liquor there at the Insane Hospital?

A. I will show the bills and give a statement of the amounts purchased at different times: One bill for beer, Jan. 5, 1884, \$26.00, certified to by Dr. W. B. Fletcher; another bill for beer, allowed April 10, and approved by Dr. Fletcher, for \$46.05.

Q. I would like for you to give this briefly.

A. Another bill for beer, May 8, 1884, \$58.65; March 6, 1884, \$65.80; Feb. 7, 1884, \$154.15; January 10, 1884, \$318.45; Oct. 30, 1883, \$153.35; June 10, 1886, \$28.71; October 4, 1883, \$29.85; all for beer.

Q. All certified to by Dr. Fletcher?

A. Yes, sir.

Q. Do you think those quantities were properly used?

A. It was purchased for the patients, and they probably got a great deal of it.

Mr. Conn.

Q. These bills were allowed by the Treasurer, were they?
Mr. Hall?

A. By the Board.

Q. What month would that bill be allowed in?

A. June 5th, 1884; it would be allowed in July.

Mr. Hays.

Q. What was the date that you went to the Institution?

A. My first connection there was in July 6th, 1883.

Q. These bills that you have brought in here, I see commence on the 4th of October, 1883, and run until the 10th of January, 1884?

A. Yes, sir; I just brought them in for one year—1884.

Q. Have you any bills of this character since 1884?

A. No, sir; the last one I have is in 1884; that is when the purchase of these goods stopped.

Q. There has not been any beer purchase since that time?

A. Not to my knowledge.

Q. Have you any knowledge as to how this was used?

A. I stated that it was gotten for distribution among the patients.

Q. Have you any personal knowledge as to how it was used?

A. Only a part of it.

Q. What part?

A. I say it was used.

Q. Where?

A. In various places; sometimes there would be a quantity that was purchased individually, used in the store room?

Q. Did you use any of it?

A. No, sir.

Q. Who used it?

A. The Superintendent and some outsiders.

Q. Who were they?

A. I can not give the names of all of them.

Q. What Superintendent?

A. Dr. Fletcher.

Q. How much was used in the storeroom and how much in the Hospital?

A. I can not tell.

Q. You were the book-keeper?

A. I kept no track of it.

Q. Why?

A. Because I did not want to; I did not have charge of that department of the storeroom.

Q. Under what rule was any part of the storeroom placed beyond your control?

A. I did not want to have anything to do with it.

Q. That bill was presented to the Board on October 4 and ordered paid, signed by Dr. Harrison?

A. Yes, sir.

Q. It came into your possession ?

A. No, sir ; I did not approve of it.

Q. Is it not proper for the Superintendent to get beer for the patients ?

A. Yes, sir.

Q. Why did you not approve of it ?

A. Because I thought there was too much used.

Q. You objected to it on account of the muchness ?

A. So far as it related to my department.

Q. You were very particular as to beer ; you did not want too much of that used ?

A. Do you mean to tell this Committee, Mr. Hall, that Dr. Fletcher himself drank a large portion of this beer delivered there ?

A. I would like to explain why I give you this—

Q. I do not want any explanation, I want a statement of the facts. Do you mean to have the Committee understand that a large portion of this beer was used by Dr. Fletcher ?

A. No, sir ; I do not want to be understood that way. It was given in my testimony that there was one hundred dollars' worth of whisky used during a certain administration. I remember this, and say that there was one hundred dollars' worth.

Q. That was not whisky ?

A. Well, it was intoxicating liquors.

Q. It said whisky, did it not ?

A. It said intoxicating liquors.

Q. Did they not use beer at that time as a part of the treatment of certain classes of patients ?

A. I said so ; yes, sir.

Q. That has been discontinued since 1884 ?

A. Yes, sir.

Q. You spoke of Dr. Fletcher drinking some of this beer ; who else connected with the Asylum have you known to drink any of it ?

A. Several of the employes.

Q. Who were they ?

A. Well I can not just detail it ; I can not give the names.

Q. Give the names of some of them.

A. A young man by the name of Burns was present and used it.

Q. I say the names of the officers of the Institution; you said they drank it did you not?

A. I did not say officers; I said employes.

Q. You mentioned Dr. Fletcher as having drank some of this beer; who else to your knowledge drank any of it?

A. I will give the names of those that I heard did it.

Q. Were you present when any of it was drank?

A. Yes; I was not present when it occurred.

Q. Why did you state that Dr. Fletcher drank a large part of it?

A. I did not want to convey that impression; I said it was bought for the purpose of giving it to the patients.

Q. I understood you to say, I may be mistaken, that Dr. Fletcher and a crowd of other persons drank it in the store-room?

A. The time I am trying to explain, it did not occur in the store-room.

Q. Did you not say that Dr. Fletcher and others drank in the store-room?

A. Yes, sir.

Q. Who was present then?

A. Edward Kain, M. C. Kelley and J. C. Burns.

Q. Did you say Burns drank it?

Q. Yes, sir.

Q. I understood you to say that you understood Burns was present and you supposed he drank it?

A. That was a different time. This is what occurred in my presence.

Q. Who else besides Burns, Cain and Kelly?

A. A man by the name of Vows, and Baker, an employe of the Hospital; Allen Brumline, Issac Denner, employes; Ed Sides, employe: I can not call to mind any more.

Q. They were there together?

A. Yes sir.

Q. And drank in the store room?

A. In the store room adjoining the store. I was present. Had a conversation with them while it was going on, frequently.

Q. I will ask you why, as storekeeper and responsible for the supplies of the institution, you allowed them to be drank up by the employes of the institution in your store room.

A. Because the Superintendent was present and taking part.

Q. Did you make any objection to it?

A. Yes I objected.

Q. Did you object while they were present at the time?

A. I made objections repeatedly.

Q. In the presence of these men?

A. Yes, individually, and at different times.

Q. You had charge of these supplies?

A. Not of those goods, I did not. I did not receive them; they were in an adjoining room and in the care of a different man, given to him, in his possession.

Q. Have you not the charge of the building?

A. Yes, but I do not take charge of that.

Q. It is under your supervision, and the man having charge of it was a subordinate, under you.

A. He was the butcher, and not in my department; his shop is connected with the store room, just across in the adjoining room.

Q. Did you ever object to Dr. Harrison, to the allowance and payment of these claims, for beer used in that way?

A. Yes, I have told him that it ought not to be done; that they used too much.

Q. How frequently did this thing occur; the gathering of the employes of the Institution, and turning the store room into a beer garden?

A. For six or eight months, maybe once a week.

Q. Did you ever recommend to the doctor that any of these men, who were using up the supplies, ought to be discharged or removed?

A. No, sir, but I sometimes spoke of the use of it.

Q. Do you make reports?

A. No, sir, only verbal reports, of something they would ask me about.

Q. Where are the estimate books, covering the years 1884, 1885, 1886 and 1887?

A. I think I have all of them.

Q. Were they brought in with the other books?

A. No, sir; there were only the ones you called for.

Q. You have them at the hospital?

A. I think so.

Q. Do you know where the ward reports are; the reports of the officers of the day, from the wards?

A. I have nothing to do with that. They are delivered to the Superintendent. I do not know where they are kept.

Q. Where are his reports kept, that he makes out from time to time?

A. I think he has them in his own office.

Q. Does he not make a report from month to month to the Board?

A. Yes, sir.

Q. Where are they delivered?

A. They are given to the Board of Trustees in their office.

Q. That is the office you have charge of?

A. It is in the same building, yes, sir. He generally meets with the Board, reads his report and takes it back to his own office?

Q. Do you know where the reports of Dr. Fletcher are?

A. No, sir.

Q. Were they not delivered or left in your office?

A. No, sir; sometimes once in four or five months.

Q. Do you remember of his calling for his reports and there not being found?

A. No, sir, not to me; I do not have charge of that part of the work; the Superintendent has charge of it.

Q. Of his own reports?

A. Yes, sir.

Q. Does he report to himself?

A. No, sir; he makes a report to the Board, but after he gets through with his report he returns to his office and takes it with him. The report is supposed to stay at his own office.

Q. Are not these reports made a part of the records of the proceedings of the Board of Trustees?

A. I do not know whether they are all recorded or not.

Q. Are not all of them?

A. I can not say; I have nothing to do with it. It is in the Superintendent's office there.

Q. You were asked by Mr. Henry about receiving clothing, and you mentioned D. P. Erwin & Co?

A. I said they were purchased in Philadelphia and were ordered by the Superintendent.

Q. That was clothing for the Hospital.

A. Yes, sir.

Q. Was that purchased under a contract awarded and bids received?

A. As to the two firms here it is, while in Philadelphia it is ordered by the Superintendent. He makes a selection of samples and sends to the firm for the goods.

Q. No bids received for it at all?

A. I think not.

Q. No competition?

A. I think not.

Q. Has that been done at all times since you have been there?

A. It occurred several times; yes, sir. I think the name of this firm is Croner & Stoddard.

Q. They have furnished a large quantity of goods, have they not?

A. Yes, sir; two or three hundred dollars' worth at a time, probably three or four times since I have been there.

Q. Was that done under Dr. Fletcher's superintendency?

A. Yes, sir.

Q. How frequently?

A. I do not remember; three or four times.

Q. How frequently since Dr. Fletcher was removed?

A. Twice, probably, to my knowledge.

Q. That would be five or six times?

A. Yes, sir; altogether.

Q. Was it not more frequently than that?

A. Not to exceed three times in the last two years, as well as I remember; I think it is not to exceed three times in the last two years.

Q. How many times previous to that?

A. Two or three times.

Q. Was all the rest of the clothing bought here in the city?

A. I think so.

Q. Who from?

A. Murphy, Hibben & Co., and D. P. Erwin & Co.

Q. Are they clothing houses?

A. We never bought much clothing, we bought jeans and clothing material and made it up.

Q. You say you have not received any clothing from anybody as a gift since you have been connected with the Hospital, either directly or indirectly?

A. No, sir; nor anything else.

Q. You said something about the amount of beer used in 1883 and 1884; where was the whisky delivered?

A. It is always delivered to the Storekeeper.

Q. Do you have anything to do with it?

A. No, sir.

Q. Do you know the amount delivered?

A. I said on an average of 20 gallons; I know it is not that much; it will not average more than half that, 10 gallons per month.

Q. For what time of the year?

A. Now, it will not average more than 10 gallons.

Q. How does the amount of liquor used during the administration of Dr. Fletcher compare with that of Dr. Galbraith; that includes beer and whisky?

A. In the past eighteen months there has not been any beer purchased at all.

Q. How about whisky?

A. The amount of whisky purchased at the present time is about ten gallons in a month, not to exceed that.

Q. I think you testified the other day about purchasing without bids, did you not?

A. Yes, sir. I have brought some accounts to show what goods have been purchased without bids.

Q. You may state, generally, how they compare, in proportion, with the amount received under bids, that is, the relative amounts of each?

A. I did not compare as to the relative amounts of purchases legally made under the Statutes, and this kind, as to the difference between them, I have made no comparison. I did not have time to make those calculations.

Q. You brought these bills for the examination of the Committee?

A. That, in case I should be asked, I would have them to refer to.

Q. You testified the other day about the pig tongues?

A. Senator Hays asked me some questions, and I had forgotten the details; but I am a little better posted now to answer the questions.

Q. They were never ordered, were they?

A. They were never ordered by me.

Q. Were they ordered by anybody else who had the authority?

They were ordered by Dr. Fletcher.

Q. Have you his order there?

A. I have something that will explain, if you will let me give it. The gentleman that delivered them has his testimony in that article regarding them. (Witness produced newspaper clipping.)

Q. In what way did he order them?

A. I would rather submit that in evidence.

Q. That is not evidence, that is a newspaper report. Do you know anything about the ordering of the goods?

A. I did not hear the conversation.

Q. You know nothing about it, of your own personal knowledge, that Dr. Fletcher ordered them?

A. No, sir.

Q. You have been asked about the loans fully, have you not?

A. No, sir; I was asked some questions pertaining to it.

Q. Do you know of more than one loan made to Sullivan?

A. No, sir.

Q. Do you know anything about a loan to Sullivan?

A. At the time Sullivan failed, and immediately after the Board meeting for the allowance of claims, I was called in to deliver the checks, as usual, to the parties they were coming to. Mr. Gapen handed me the bulk of the checks; I always run over them, and there were two or three not there. I asked him about them, and he said he had given them to the parties, naming them. There were three not in the list; and he said he had given J. A. Hunt his voucher, I can not recollect the names of the other two, but the last one was Sullivan's. I asked him what he was going to do with it, and he said he would have to give it to the State Treasurer. He said Sullivan owed the State Treasurer, and he would have to give that to him. That was after the Board meeting of February, about the 8th or 9th.

Q. Who was this conversation with?

A. Mr. Gapen and myself. Then I asked him, "Are you safe? Did you lose anything? That is, did he owe you?" and he said no. I took the checks and commenced giving them out, and gave them all out but the six which I reported, when

I got a telephone that the Meridian National Bank had refused to cash a check. I came in to see Mr. Gapen and he informed me that it was certainly all right—that he knew nothing wrong about the bank. I soon met business men who asked me if everything was all right. He told me that he had loaned nothing. Well, then this firm telephoned that the bank would not cash their check. I went to him and he said that was a different matter, and that there was a question as to whether or not the bank could hold the amount in controversy. That was the first I knew of any money being loaned.

Q. Was you present during the conversation between Dr. Harrison and Dr. Galbraith, about the loan of some money to Sullivan?

A. No, sir; I knew nothing personally about it.

Q. When did you first learn of it?

A. I do not remember the time; probably a month afterwards.

Mr. Hays:

Q. You say you had a conversation with Mr. Gapen at the office of the Board at the Asylum?

A. No, sir; it was in the city.

Q. On the day the three checks were gone?

A. On the day that he delivered the checks to me to deliver to the various parties.

Q. That was out there?

A. No, it was in here, in the city. I came in to get them and deliver them.

Q. When are they delivered to you?

A. He makes them out and signs them in the office. The next day he makes a settlement with the State Treasurer, and then, sometime after that, he telephones me that everything is all right to give out to the men we owe; various business men.

Q. You go in then and get the checks from Gapen?

A. Yes, and deliver them.

Mr. Henry:

Q. Now, another subject: You stated that this was the correct book of the distribution of the goods in the store-room?

A. No; it is more correct than the smaller ones. The permanent one I have here.

Q. From what book are these entries taken?

A. They are taken from these smaller ones in the main; some are taken from another book.

Q. Where is this book posted into; the other books? Is not the other book posted from this?

A. Yes, sir.

Q. Then, how would you get anything into the other book that did not come from this?

A. It might be from a smaller one, or from a written order.

Q. The only mistake would be that it would not have enough, would it not? This book would not contain all that was given out?

A. That is right. There might be things given out, not in the smaller books.

Q. What department has Mrs. Naughton?

A. She is in the general kitchen.

Q. What was her usual request for butter daily, as shown from her pass-book?

A. It may be the same every day as to that article.

Q. She doubled it on Saturday?

A. Yes, sir; it is larger, anyway.

Q. What amount of butter was necessary for the use of her kitchen, daily?

A. Well, it is on the daily issues.

Q. What is the amount?

A. Fifty or sixty pounds.

Q. Her usual order is sixty-six pounds?

A. Yes, sir.

Q. On September 24, I find obtained by Mrs. Naughton for the kitchen, 124 pounds?

A. That is one of the double issues probably.

Q. On September 5, I find sixty-six pounds of butter?

A. Yes, sir.

Q. On September 6, 124 pounds of butter?

A. Yes, sir.

Q. On September 7, sixty-six pounds of butter?

A. Yes, sir.

Q. On September 8, 190 pounds of butter?

A. Yes, sir.

Q. I have taken these all in succession from the 5th to the 9th; can you explain why one day you have 124 pounds, another sixty-six pounds and another 190 pounds?

A. Those are issues made for two days.

Q. I have taken them in succession commencing on the 5th and then on the 6th, and then on the 7th, 8th and 9th; and I have found the two double issues in that time; can you explain it?

A. In no other way than that it is for two days; Saturday and Sunday; or from Friday night until Monday, which sometimes happens.

Q. I have found it from the 5th to the 9th, in succession. I find the 11th on here; that is for Sunday. You do not put anything on for Sunday?

A. Not often; very seldom on Sunday.

Q. There is 190 pounds delivered on the 8th; there is nothing delivered on the 9th; on the 10th, 60 pounds of butter?

A. That is likely Sunday.

Q. On the 11th, 124 pounds?

A. Yes sir.

Q. On the 12th, 66 pounds?

A. Yes sir.

Q. On the 13th 66 pounds; on the 14th, 124 pounds; on the 15th, 132 pounds. There comes in succession 256 pounds of butter?

A. That is right, yes sir.

Q. The 16th, I suppose, was Sunday. I can not understand why she got double the amount on Saturday, and why so many times during the week, as shown in this book.

A. I do not know any other reason than that those are Sundays, and that sometimes she got it for two days.

Q. How many Sundays in a week?

A. Sometimes it is issued for two days, besides the Saturday's issue.

Q. Well, you take up any week, and you will find there are two or three Sundays every week?

A. Two or three double issues.

Q. That is, an issue for the next day?

A. Yes, sir, that is to say, a double issue.

Q. On the 24th, 124 pounds, on Monday. If they gave that out on Monday, they would not have any more the next day?

A. It may be drawn on Monday for the next day.

Q. Well, on the 24th there is another issue of 66 pounds?

A. Yes, sir.

Q. Then the following 26th, there is 114 pounds; on the 27th, 66 pounds; on the 28th, 66 pounds. Now comes October 1st, 110 pounds?

A. Yes, sir.

Q. You say in her department 60 pounds a day ought to be sufficient?

A. Yes, so far as she gets from day to day.

Q. Some days she doubles it?

A. Yes, sir.

Q. There is October 2d, 66 pounds of butter?

A. That is right.

Q. October 3d, 106 pounds; 4th, 66 pounds; 5th, 109 pounds; 6th, 132 pounds; then there is a Sunday—the 7th is Sunday. Total, 589 pounds for the week. Take any week in November. That is how much?

A. November 1st, 126 pounds; 2d, 66 pounds; 3d, 192 pounds; 4th is Sunday; 5th, 66 pounds; 6th, 126; 7th, 66 pounds. Total, 642 pounds.

Q. Is not that more than is necessary for that kitchen for a week? Your estimate is less than 60 pounds a day, and that is about 92 pounds a day.

A. Our average for butter is 154 pounds; the average issue for the year was 154 pounds a day, and the average for January was $170\frac{4}{5}$ pounds a day.

Q. Is not this statement made out from your books, from the amounts used?

A. Yes, sir; we issue so much in December, in November, and in January—

Q. I want to know this: Where do you get that estimate for the amount of butter you paid for?

A. From the amount of butter issued.

Q. Do you get that from these books or from the bills you paid?

A. I took it from my book, that Senator Hays has.

Q. It is taken from this book, and this is taken from the pass book?

A. Yes, sir; and that is the amount we gave to each house.

Q. You see there is nothing put down here; that is not taken from that book?

A. But I do see there are things in that which are not in this.

Q. Miss Naughton never got any less than this?

A. I think not, no, sir.

Q. Now, about the pass books. I find that she orders in these pass books, daily, about 66 pounds of butter. You say you gave her frequently 124, 192 and 132 pounds, and 126 pounds?

A. That is where it is used for two days at a time.

Q. Can you explain why the issuss, so many of them, are made for Sundays, when there are not that many Sundays?

A. It might be for a time or two that are not Sundays; it might be double on Tuesdays.

Q. Can you find on this book, anywhere, where you have missed a day, except Sunday?

A. I can not answer as to that?

Q. Is it not under your supervision and placed in your hands and under your direction?

A. Yes, sir.

Q. Is there a single day omitted when issues are not made on this book except Sundays?

A. There might be a single day when all of it would not be on the book. An additional order might be sent in on a piece of paper, but that does not often occur.

Q. Is there a double requisition made upon these books, as shown by this book, for one day?

A. There may be a double one.

Q. Can you show one?

A. For instance, there is sixty-six pounds of butter asked for this morning; in the afternoon there may possibly be an order for ten or fifteen pounds more.

Q. Would it not be there in that one item?

A. No, sir, it might not be.

Q. Can you find on this butter book where there are two items of butter for Mrs. Naughton for one day?

A. She might have received it and it not be on this book.

Q. Why is there a double ration of butter issued sometimes twice and sometimes three times a day to Mrs. Naughton, as shown by this book?

A. There is no more issued to her than is demanded. If it is demanded twice a week we issue it to her.

Q. If she demanded a thousand pounds you would give it to her?

A. If we had orders to do so we would.

Q. That is your explanation of what you did and why you did it? Is there any necessity for these double issues to her kitchen two or three times a week?

A. It was certainly needed, or it would not have been issued or demanded, or ordered.

Q. Therefore, your statement that fifty-six or sixty pounds for her kitchen was sufficient was not right?

A. There may be other additions made besides the fifty or sixty pounds; there may be other butter issued; I mean more butter.

Q. I see you have some butter, and I want to know what it was for, and what it was used for, and the state of it. I have only taken one item and followed that through this book?

A. Yes, sir; you have followed it through as the issues occur, and as they were.

Q. Can you give any reason why these repeated double issues of butter are given out to Mrs. Naughton for her kitchen, as shown on this book?

A. I will have to answer in the same way; it was needed and demanded.

Q. How do you know it was needed?

A. Because it was ordered.

Q. Her issue-book demands sixty-six pounds, but it was not so issued to her according to this book?

A. I believe that is the issue.

Q. Do you find it so all the way through?

A. Yes, sir; except where the double quantities are put on.

Q. Here is February 2d, 192 pounds; that is treble, is it not almost?

A. It is a little more than double.

Q. Is it not within a few pounds of being three times as much?

A. Yes sir.

Mr. Brown:

Q. You submitted a statement here yesterday, or the day before, of the number of persons cooked for in Mrs. Galbraith's kitchen?

A. Yes sir.

Q. Has that same number been cooked for there, all during Mr. Galbraith's administration?

A. Yes sir, I think it has.

Q. Are you positive of it?

A. Not positive of it; the number of persons have—

Q. Have they not decreased?

A. I think not.

Q. Then you are positive that at no time during his administration has the number cooked for in his kitchen decreased?

A. I think not.

Q. He came in in September, 1887?

A. I think it was.

Q. He has had as many persons cooking for his private kitchen as any other Superintendent before?

A. I believe about the same number.

Q. You testified that Dr. Galbraith's table was more extravagant than Dr. Fletcher's.

A. No I did not.

Q. Perhaps it was some other gentleman; what was the fact about that?

A. I do not know, I have not been asked that question.

Q. Did not Dr. Fletcher's private kitchen supply the same number as Dr. Galbraith's?

A. It probably averages about the same.

Q. You think the persons cooked for in Mrs. Galbraith's kitchen is the same as those cooked for in Mrs. Fletcher's kitchen?

A. I think so.

Q. You had charge of the supplies of both departments?

A. Yes, sir.

Q. I will ask you to state why it is that in the month of June, 1887, Mrs. Fletcher's kitchen used 31 pounds of coffee, and in the same month, in 1888, Mrs Galbraith's kitchen used 290 pounds of coffee?

A. I do not remember as to that. I gave a statement the other day—

Q. I am not asking what you gave; you said there was an equal number fed in Mrs. Galbraith's kitchen and Mrs. Fletcher's kitchen?

A. As near as I can remember.

Q. And you issued the supplies for both kitchens?

A. Yes, sir.

Q. During the month of January Mrs. Fletcher's kitchen only used 31 pounds of coffee; why did it draw in another administration 290 pounds?

A. I do not know that it was that way.

Q. Your books show that; have you any explanation?

A. Yes, sir; I issue for all those persons.

Q. You issued more to Dr. Galbraith's kitchen than you did to Dr. Fletcher's kitchen?

A. I do not remember as to the comparative amount.

Q. If it is true, have you no explanation for it?

A. I think I have; there is an error about it.

Q. What explanation do you make of the increase in the amount of coffee consumed there?

A. There certainly is not any increase in the proportion to the number of persons. It is about the same as to the number of people; if there is any increase, I am not aware of it. My impression is, that this is the amount for the general kitchen, instead of the officers' kitchen.

Q. Take the first day of June, 1888, on your book, and commence on coffee; how much coffee was issued that day to Mrs. Fletcher?

A. 10 pounds.

Q. Go through your book and add it up, and find what you issued to Mrs. Galbraith in the month of June, 1888?

A. 190 pounds.

Q. Mrs. Fletcher's was 31 pounds for the month of June 1888?

A. That is an error.

Q. We are talking to you about what the figures show. Do you not know that it only takes $1\frac{1}{2}$ pounds of tea for one person for a month, and that they cannot drink any more? You have had considerable experience in issuing monthly supplies?

A. Yes, sir.

Q. Well, do you not know that that is true; that $1\frac{1}{2}$ pounds of tea is sufficient for thirty-six persons for one day, giving them coffee three times a day. You have stated that the same number of persons were there under Dr. Fletcher, and that all you issued to that kitchen a day was one and one-half pounds?

A. I would not state that. The issue is enlarging, and his order, but I do not remember the thirty-one pound business.

Q. Don't you know, as a matter of observation and experience, that it requires five pounds of tea a day for 100 persons?

A. I do not know whether that is the proper proportion or not. I have not given testimony as to that; but that thirty-one pounds is a new matter to me.

Q. Take July, 1887, for the same kitchen; there was issued to that kitchen 105 pounds of coffee for that month; and for the corresponding month of 1888, there was 160 pounds. I will ask you if you do not know it is a fact that this coffee never goes to that kitchen?

A. I know it is a fact that every thing that is ordered goes there.

Q. You do?

A. Yes, sir. These things are ordered by Mrs. Galbraith herself. She comes out and orders for herself.

Q. She gets ten pounds every morning?

A. Yes, that is what she gets.

Q. Did Mrs. Fletcher do that?

A. Miss Fletcher did.

Q. Did she ever bring a pass book?

A. Yes, sir.

Q. Did she ever require more than two pounds of coffee a day of you for that same kitchen?

A. I do not remember about that.

Q. Can you find in any of Dr. Fletcher's requisitions on you, in any place, more than two pounds of coffee a day for that kitchen?

A. I do not know.

Q. Have you examined them?

A. I have not made a comparison.

Q. And you have no personal recollection whether the difference is greater now than then?

A. No, sir.

Q. What time in the month of September was it that Dr Galbraith went into this Institution?

A. I do not remember about that.

Q. Was it the early part or the latter?

A. I can not answer as to that.

Q. You only know that he came there in that month?

A. Yes, sir.

Q. I can inform you. I think he commenced on the 10th of that month, and Dr. Fletcher and Dr. Galbraith both used in their private kitchens 90 pounds of sugar, and in the corresponding month of 1888, Dr. Galbraith used 829 pounds of sugar in that one kitchen. Can you explain that?

A. I have not made that comparison.

Q. It must be so, or these books are frauds. Is that not the truth?

A. I do not see how it could be.

Q. Is not this a fact of which you are cognizant—that you put down ten pounds of coffee for Mrs. Galbraith's kitchen and never sent her more than two, and is it not a fact that these goods never go into that kitchen, and if they do they are sold out?

A. No, sir.

Q. Do you undertake to say to this committee that you have delivered to her private kitchen ten pounds of coffee daily?

A. I do not carry coffee over there.

Q. Do you weigh it?

A. I am present when it is done, not always, though. When I am present I have seen them weigh ten pounds and send it to that kitchen, and I know it is received as a daily ration to the kitchen.

Q. Were you likewise present when the issue was made to the same kitchen under Dr. Fletcher; can you call to mind any daily amount?

A. I know those rations were given to Dr. Fletcher's kitchen.

Q. Have you any personal recollection as to the amount that went to his kitchen?

A. No, I cannot remember that.

Q. Dr. Galbraith's estimate, yearly, from the 10th of September, 1887, and in the month he came there he used in his private kitchen 93 pounds a week? Is that about right?

A. I would think it is.

Q. Then in the same month for 1888 he used 423 pounds?

A. I could not say; I have not made any comparison.

Q. Suppose Dr. Galbraith used in his private kitchen in October, 1887, 63 pounds of butter, and in the month of October, 1888, for the same kitchen and the same number of persons, did he not use more butter?

A. I said I did not think he did.

Q. Instead of 63 pounds of butter, he used 206 pounds; don't you know there was something wrong in the matter of your own personal knowledge?

A. Unless there was a difference in the number of persons, I do not see how that could be.

Q. Was there any difference in the number of persons?

A. As well as my memory serves me, there was no difference.

Mr. Hays :

Q. How many of these requisition books are in use in one day, or at one time?

A. I do not remember; they are given as a matter of convenience to the heads of departments. There is no law for these books; they are simply a matter of convenience.

Q. As I understand you, you say you have no personal knowledge of the goods except that they are issued as they are called for. I understood you to say you knew nothing about it, except that the goods were issued and sent out; how are they issued?

A. They may be issued from the book, verbally, or by note.

Q. They are ordered from this book?

A. As a general thing; sometimes there is a verbal order, or one by telephone, or a note sent in.

Q. Do you keep a daily record of every item ordered, made out at the time?

A. Yes, sir.

Q. Every pound of butter, dozen of eggs, etc., called for you make a record of?

A. Yes, sir.

Q. And the cook who got it?

A. That is condensed in the record; it shows what department or cook, and whether for the male or female department.

Q. That is, you have nothing actually to show when goods are ordered and issued, who ordered them or where they went to?

A. Just to what department they went, and whether male or female department?

Q. What kind of a daily record do you keep?

A. It is condensed from these order books.

Q. Where is the daily record you keep, showing the articles going out at the time?

A. It is here.

Q. Is this the book?

A. Yes, sir; you will find the issues there.

Q. Is this the one upon which you keep the record showing where they are issued to?

Q. There is the month of February, as I understand it, record of butter?

A. Yes, sir.

Q. There is 126 pounds used daily; where did it all go to?

A. Fifty-eight pounds to the department for men and 66 pounds to the department for women.

Q. Who ordered that? Have you no record showing who ordered these goods?

A. No, sir.

Q. Have you no record showing who ordered any of these goods?

A. No, sir; except as it appears on these books.

Q. You made no record showing who ordered the goods, and the amount issued, and for what purpose?

A. Except as you see.

Q. Is that the record?

A. Yes, for part of them. That is only the ledger showing the general amount issued each day, with reference to what it was issued for; just a general ledger. It is a ledger as to the amounts issued to each of the departments.

Q. Do you keep a daily journal, blotter, or anything of original entry, in which the goods are entered when issued from the store?

A. No, sir.

Q. How do you make up the total amount of the issues of any one article?

A. We get it from the various requisition books.

Q. I understand they only contain part?

A. It may be an issue book or a verbal order.

Q. Where do you put a verbal order?

A. On a slip of paper.

Q. Where do you put the paper; on your desk?

A. Yes sir, until evening.

Q. Is that the system of book-keeping you use out there for the issuing of supplies; that anybody can come in with a little slip of paper and you will issue the goods; or with a verbal order, and you make a little memorandum and stick it on a nail; and at night the total amount is footed up from these slips of paper, and from the books. Is that the way or not? Do you say to this Committee, that your system of issuing supplies per month is simply upon a verbal order, or a written memorandum on a piece of paper, or one of these books, or whatever may be brought to the office; and that goods are issued and not entered upon the books at the time, or the amount, or the name of the persons requiring them; but only on a slip of paper: and the total amount footed up at night and put on the book: is that the way it is done? Have I stated that correctly or not?

A. I say this; that we took it from the daily order books, daily.

Q. What books?

A. These books that we take the contents from.

Q. Where do you put the contents? Show me a single line in this book, where there is a single entry in this book, that shows a single item of goods issued, that shows where it went to, whether to Mrs. Galbraith's department or to any other department?

A. No sir, there is not.

Q. What is this book kept for?

A. It is the store-room book on which the Storekeeper may take items for condensing these smaller books.

Q. Does this purport to show all the goods issued daily?

A. No, sir.

Q. Why is it kept?

A. It is a matter of convenience.

Q. Of what benefit is it if it is only a partial record?

A. It is a benefit to us that much.

Q. You put down different items thus: We issued an amount of goods; Mrs. Galbraith received that much?

A. Yes, sir.

Q. Is it intended to show all they receive? Do I understand you to say that the goods shown there, she actually received these and that is all?

A. It may not be all.

Q. Is it understood that this is all?

A. No, sir.

Q. If that does not show all the goods she received that day, where is there any place in the record showing the balance of the goods received if this does not show it? Is there any such record?

A. No, sir.

Q. As to the other departments, is this intended to show all that they receive?

A. No, sir.

Q. Is there any record that does show all they receive, any place at all?

A. No, sir.

Q. Well, will you tell the committee why this account book is kept?

A. For convenience.

Q. Is it not just as liable to mislead you as not, when it only shows a partial issue?

A. I do not know how it could.

Q. You are a book-keeper, are you not? I wish you to tell me—take the ledger and turn to any particular record; it shows, for instance, that on the 20th was issued 320 pounds of crackers. Is there any place in your book that it can be found where that 320 pounds of crackers was issued to, who received them and what they were used for; to what kitchen they were issued, who issued them, and who received them?

A. Yes, sir, it does, right here, that the female department got so much.

Q. Is there anything to show who ordered them, or who received them, or by whom they were delivered from the store, in any way, of any kind?

A. No, sir; the order might have been a verbal order or a written one.

Q. Is there anything by which this Committee can be informed whether anything of that kind occurred, except the memorandum made in this book? Is there anything connected with the business, of any kind, except this entry in the ledger, that can inform this Committee whether these things were issued to the department or not?

A. I have nothing except what you see.

Q. This does not show it; it only shows part of it. Then,

as I understand you, and as this Committee understands you, all that you know about the issuing of supplies is, that you say you do not issue any unless somebody calls for them?

A. I issued them under the orders of the Superintendent.

Mr. Burke:

Q. Were these orders verbal or in writing?

A. They may be both.

Mr. Hays:

Q. Do you mean to have the committee understand that the Superintendent tells you to deliver so much to each person?

A. No, sir, he gives me orders to fill the requisitions of the kitchens.

Q. Then you depend entirely upon the persons coming from the different kitchens and calling for goods?

A. Yes, sir, under his orders.

Q. And you do not require them to make a written requisition, or give any voucher; there is nothing to show how much any person has received or ordered?

A. No, sir.

Q. And you do not know where a pound of these goods actually went?

A. Yes, sir.

Q. Do you watch when the goods are taken from the store room, to see whether or not they are delivered to the institution, or whether they are taken back to Indianapolis and sold?

A. I could not watch each article.

Q. You do not know whether any of those goods issued from the store room on these verbal requisitions, ever went to the kitchens, or went to the hospital?

A. There is too much care for anything of that kind. I see it going and see it delivered.

Q. You see it delivered?

A. Not at all times. But I am right there and see persons coming and going away with the things.

Q. Are the kitchens of the Institution in sight from your store room?

A. There is one of them in sight, the other one I can not see. We have to trust some people.

Q. Simply a verbal statement from some person coming from the kitchen, ordering what they want—so much coffee or

tea and other things, and it is delivered to them, and no entry made of it, no name put down, and no receipt required, and that is all you know about it; is that correct?

A. It seems to me that I have answered as fully as I can.

Q. That is a statement of your manner of doing business, and you can answer whether or not it is correct?

A. I want to say that what we take in is correct, and what we take out is correct.

Mr. Burke:

Q. The question is as to your manner of conducting the business. Has he correctly stated it? If he has not you may qualify his statement.

A. I do not know, hardly, how to answer the question. Please state it again.

Mr. Hays:

Q. This is the ledger. I will ask you, as a book-keeper, if there is anything to prevent the book-keeper from entering into this book, as having been issued out, that were never delivered, and never delivered from the store room at all. Is there any way to prevent his doing that?

A. None, except at the close of the month we make a statement of what we have received and what we have issued.

Q. You make up the record and then copy it from the record that is made from this book. Can any one determine whether that is correct or not?

A. I do not see how they could be unable to tell from the books you have seen.

Q. You copy that from this book?

A. Yes, sir.

Q. What is there to prevent this book from being "stuffed" with large amounts of goods entered from time to time as being issued to the departments, which, as a matter of fact, never were issued?

A. If we made false entries and tried to rob the Institution?

Q. If you were disposed to do that there is no check system by which it could be detected, is there?

A. We receive so much, and each month make a statement that we have issued so much.

Q. Supposing you wanted to make a false statement of goods you never had received, is there any system of checking,

outside of the books you keep, by which that matter could be determined?

A. I do not say it could be.

Q. If you issued 100 pounds of coffee to the head of a department and took a receipt, that would be evidence of the fact that you had issued the goods?

A. But who would we take a receipt from? We have a lady there whom we must entrust with these goods, Suppose I take a receipt from her, must she take a receipt from the patients that eat them?

Q. Would not her receipt be a protection to you, and show that the goods left the store?

A. Yes, sir.

Q. But there is nothing to show that you have issued any of these goods except the entries made at the time?

A. No, sir.

Q. And there is no record of the names of the persons who received them, so that they might be called to answer whether they had received them or not?

A. That never has been done.

Mr. Burke:

Q. What is the meaning of these checks?

A. Those check marks show that he has sent those things out.

Q. There are two sets of checks, that is, for different places; and he indicates by that that he has sent these things to the department for which they were ordered?

Q. Here is this system of check marks on the outside of the book; what does that mean?

A. When there is just an order and an issue he makes that to indicate that it has gone to the department that has called for it.

Q. These checks mean that the kitchens have received these articles?

A. Yes, sir.

Q. This is evidently intended to be a statement of the goods issued, and you transfer from that book to this?

A. Yes, sir.

Q. The articles charged upon this book as having gone to these places, have been issued by you to them?

A. Yes, sir, and transferred.

Q. You state that upon oath; that the actual quantity charged to the different departments, have gone, or been delivered to the departments, and that they have received them?

A. Yes, sir.

Q. I want to know if this book is correct, and if the amounts charged on this book actually left your Storehouse at the time and in the quantity stated?

A. Yes, sir; and there may be other quantities or other items added.

Q. Why are these added articles not put on there?

A. Because it is not customary.

Q. Why not leave off the butter if it is only a custom?

A. That is the usual way those other articles, such as apples and things were gotten; ordered separately.

Q. Is there anything on the ledger, which is the only thing that does show how much you have issued, to show how much you have issued to the officers' department?

A. No, sir.

Q. Do you know a man by the name of Eli Brown?

A. Yes, sir; I know him.

Mr. Brown:

Q. With reference to the book and the matter we were on a few moments ago; this book here, was that a private book of Dr. Fletcher's commencing June 1, 1887?

A. This is for the other House entirely.

Q. The other kitchen?

A. Yes, sir; this is for the department for women.

Q. Dr. Galbraith seems to have signed these requisitions on September 9th, 10th, 11th?

A. That is for the male department, officers' kitchen.

Q. Why is not that on this book, October 1, 1888?

A. This book was not commenced until June, 1888.

Q. Well leave June and go down to October, 1888. Mrs. Galbraith, ten pounds of coffee; on this little book, October 1, two pounds of coffee.

A. This was just commenced in June.

Q. No, this requisition was in October, 1888; why is this not on that book too?

A. You are comparing different things.

Q. I know that; here is this requisition not down on this book for October?

A. That is simply because the Storekeeper or the man delivering it was advised that the amounts were continuous, just to continue them.

Q. I can not understand your explanation. Is it not a fact that here commences Dr. Fletcher's requisitions, and then when he leaves on the 10th of June, and Dr. Galbraith takes his place, the book of rations issued to their private kitchens has not this on it? Was it not delivered?

A. They did use this book but did not use this one. The housekeeper will simply tell this man that as these requisitions are the same every day, to use this one.

Q. Is not this the private book, to go to the Superintendent's private kitchen, and is not this amount gotten, approved by you, and is there any addition in that one?

A. When this lady was calling with this book every day she said to this man, that as the requisitions were the same every day she did not care to come over every day, and just to continue it on this.

Q. These articles are not on this book at all. What I want to know is if it is not a fact that this book sets out the supplies that go to their private kitchen, and is kept so that they will know how much they use?

A. No, sir; it may show what was ordered.

Q. Is this not a fact, that this book shows the amount of supplies going to their private kitchen; is not this book made out for the officers' kitchen?

A. No, sir; that book has not been used since March, and this book has been.

Witness excused.

THURSDAY AFTERNOON, March 7, 1889.

Mr. Hall took the stand and testified as follows:

By Senator Hays:

Q. I want to call your attention to this book (showing book).

A. Yes; that is the store-keeper's book.

Q. Where is that book kept?

A. In the store.

Q. What part of the store?

A. In the issue department.

Q. Is that one of the books kept by you?

A. I don't do the work in it.

Q. You are the book-keeper, are you not?

A. That is done by the assistant.

Q. Kept under your direction?

A. Yes, sir.

Q. How frequently do you see that book?

A. Every day.

Q. I see evidence of erasures that is, names scratched out.

A. Yes, sir.

Q. Can you explain that?

A. No, sir; I don't understand it.

Q. Whose name was there before Galbraith's?

A. I don't know.

Q. Was that name written there when you kept it?

A. I don't keep that.

Q. Who did that writing?

A. That is Mr. Kyte's.

Q. Did you observe that these things had been done?

A. No, sir.

Q. Can you tell whose name was written there before Mrs. Allen's?

A. No, sir.

Q. Who is Swarton?

A. He is the steward.

Q. I will ask you if his name was not written there?

A. I don't know.

Comparison of Mrs. Allen's book with the store book shows this:

<i>Mrs. Allen's.</i>	<i>Store Book.</i>
1 barrel of sugar.....	410 pounds.
100 pounds butter.....	112 “
232 pounds rice	230 “ rice.

Q. Did you ever know of a barrel of sugar that had 432 pounds in it.

A. No, sir.

Q. Have you any idea as to amount of sugar in a barrel?

A. No, sir.

Q. I see a requisition here for one barrel of sugar, and you sent 400 pounds; how was that?

A. I don't know any thing about it.

Compares books again.

<i>Mrs. Allen's.</i>	<i>Store Book.</i>
July 2, 1 barrel sugar	350 pounds.
" 5, 1 "	345 "
" 7, 1 "	451 "
" 11, 2 "	358 "
" 12, 0 "	350 "
" 14, 1 "	439 "
" 19, sugar.....	342 "
" 21, 1 barrel sugar	426 "
" 24, 1 "	327 "
" 27, 1 "	337 "
" 28, 0 "	91 "
" 30, 1 "	341 "

Q. I will ask you how much sugar ought to be used in that one kitchen?

A. About 4,000 pounds.

Q. How many persons are fed?

A. In the average about 900.

Q. I call attention to this where Mrs. Allen's name is; it seems to have been written over somebody else's name; can you explain how that was?

A. I had never noticed that.

Q. How frequently have you seen this book in the last few days?

A. Every day.

Q. Did you examine it before bringing it in here?

A. No sir.

Q. Did you never know at any time that these names were erased?

A. The store-keeper could explain that.

Q. How many employes in that department?

A. There are 335 on the pay roll.

Q. How many in that department?

A. I suppose about 150 or 160.

Q. You have never kept a book of special issue to that kitchen?

A. No sir.

Q. You don't keep two books, one for the officer's kitchen in the male, and one in the female department?

A. Yes sir.

Q. When was the last entry made in that book (store-keeper's.)

A. March 17th, '88.

Q. Can you show me when the last entry was made in this book?

A. It appears to be November 17th, '88.

Q. One of these books ends in November, '88, and the other in April, '88?

A. Yes sir.

Q. Since November where have you been keeping these accounts that should have been kept in this book?

A. I don't know.

Q. Do you recollect of any other book?

A. No, sir.

Q. Don't you see this book daily?

A. Yes, sir.

Q. What do you know about this, personally?

A. Of course the book-keeper does this work with the persons directly, and can explain that better than I can.

Q. Can you explain it?

A. No, sir.

Q. Do you know anything about such books?

A. Yes, sir.

Q. You don't know enough about these to tell whether this is all of the books or not?

A. I think that is all of the store-keeper's books.

By Mr. Conn:

Q. What are your duties out there?

A. As to issuing, I don't have much to do with that. I do the receiving, and it goes to the store-keeper, and he does the issuing.

Q. So far as the receiving the goods, you know that they are all put in there?

A. I do.

Q. How do you know that the quantity that is issued is all right?

A. Well, each department has its orders filled.

Q. How do you know it is filled?

A. Because I see it done.

Q. Did you say that you did not have anything to do with that?

A. Not so far as the direct issuing the goods.

Q. When Mrs. Allen sends in her order for goods, how do you know that she gets it?

A. I see her every morning.

Q. Then you get your information from her?

A. Yes, sir.

Q. I will ask you if you know Eli Brown?

A. Yes, sir.

Q. Do you remember him going to the hospital and making an investigation as to the supplies of the institution?

A. I remember him coming there.

Q. Did you talk with him on the subject?

A. Yes, sir.

Q. How much did you talk with him?

A. I don't remember.

Q. I will ask you if you did not communicate with Sullivan that he was there?

A. No, sir.

Q. Did you call him up to the telephone?

A. No, sir.

Q. Did Brown inform you that he wanted to see Dr. Harrison?

A. I don't remember the circumstances.

Q. Do you know whether or not Dr. Fletcher received a letter from Mr. Brown in regard to the matter.

A. I don't know.

Q. Did you know that Brown had complained to Dr. Harrison?

A. No, sir, I did not.

Q. Do you know how Sullivan found out that Brown had been there?

A. No, sir.

Q. Don't you know that it is a fact that in a few hours afterwards, that Sullivan was in consultation with Dr. Harrison upon the subject?

A. No, sir I do not.

Q. Did you learn of that fact?

A. No, sir.

Q. And this is the first that you knew of it?

A. Yes, sir.

Mr. Fields :

Q. I believe you stated that you knew nothing about any collusion between bidders?

A. Yes, sir.

Q. Do you remember the time in January when Sullivan had a bid in for produce and Dr. Fletcher was present during the taking of the bids and he marked Sullivan's bid across the top with pen and afterwards going to you to get it and it could not be found, and you went into the storeroom and got it and it was found to be raised?

A. No, sir; you have them all here.

Q. Do you remember the circumstance of his having called for such a bid?

A. No, sir.

Q. You say that Dr. Fletcher did not call for it?

A. It seems to me that I would remember such a thing.

Q. Do you remember when the bids were being opened in the old State building that Sullivan was out in the hall waiting?

A. There was always bidders out there; don't remember that particular circumstance.

Q. Was it not the custom for Sullivan to remain after the bidders had gone away?

A. No, sir.

Q. Do you remember when a colored boy came in and said that Sullivan wanted to see you?

A. No, sir.

Q. Don't remember any such a thing?

A. Such a thing never occurred to me.

Q. You say, then, that you never went back and found a bid from Sullivan on the table?

A. No, sir.

Q. You have assisted at opening of bids?

A. No, sir; the board opened the bids.

Q. Don't you remember the instance that Burrell was absent?

A. There was one instance that Dr. Fletcher was present and opened the bids.

Q. Then you and Dr. Fletcher examined these bids?

A. No, sir; they were turned over to Mr. Burrell and he examined them.

Q. You say you did not have authority to open the bids?

A. There was nothing done with them, but they were turned over to Mr. Burrell.

Q. Do you remember that load of pigs' tongues?

A. Yes, sir.

Q. Have you testified about that?

A. Yes, sir.

Q. Do you remember anything about a load of ripe rabbits?

A. No, sir, not in 1887; but in 1886 I remember of having a few dozen.

Q. Don't you remember that it was in the month of April?

A. I don't remember.

Q. Who bought them?

A. I don't remember.

Q. Do you remember the Board taking action about these pigs' tongues and making a record that no more tongues should be bought?

A. I don't remember.

Q. Do you remember of getting a present of wearing apparel?

A. No, sir, I never did.

Q. You never told Dr. Fletcher that?

A. No, sir, I deny that.

Q. Have you ever dealt with any other firms outside of the city?

A. There was a firm in Philadelphia that furnished some things.

Q. Is it the method to buy jeans and make it up at the Hospital?

A. Yes, sir.

Q. This book will not show any specific amount sent to any specific kitchen? (Shows book.)

A. No, sir, that is the department book.

Q. If I was to ask you how much coffee was issued to this particular kitchen, could you tell me?

A. No, sir.

Q. Before these books were brought out here could you tell exactly the number of pounds you had on hand?

A. Well, the amount that was turned in and the amount that was taken out, and the difference would be the amount on hand.

Q. You have no means of knowing how much goods go to any specified department?

A. I suppose that the Storekeeper could tell.

Q. What about these small books; do you use them?

A. I don't know of a system like these small books; there is no such system in the United States.

Q. How could you run an institution of 30,000 people without having some system?

A. These books are not found in the Institution for the Blind or even the Reform School.

Q. It may be all the worse for the Institutions.

Senator reads the following letter:

COLUMBIA CITY, IND., December 18, 1885.

W. B. Fletcher, Indianapolis, Ind.:

MY DEAR FRIEND—Since my arrival home I have thought over the incidents and events of Monday last while at the capital, and I must frankly say that I am astounded at the conduct of Mr. Hall, Steward of the Hospital. When I met him first in the morning no thought crossed my mind as to his sincerity or honesty, confiding thus I openly made known my errand, saying to him that the Messrs. Krause desired to bid upon supplies, and that if he could not compete with others in price and quality I had no more to say. What I wished was that they be dealt with as the equal of any other bidder. Of course this was all freely communicated to Mr. Hall. While we were talking he made frequent trips to the telephone, and as it subsequently leaked out he apprised Mr. Sullivan of our presence. I am now satisfied that instead of aiding us in having a talk with Dr. Harrison he did all that he could to prevent our meeting. Our visit to his office was unsatisfactory as to information as to bidding, etc. After seeing you in the afternoon and learning the needs and wants of the asylum, present and future, the duplicity and knavery of his conduct dawned on my mind. This impression was solidly confirmed in my mind when I met Sullivan in the depot eating dinner with Dr. Harrison. It was to Mr. Hall that I wanted to see the Doctor, and that our interview must be brief. Just why Mr. Sullivan was there to listen to what was said I, of course, do not know. I told Dr. Harrison what my errand was frankly and openly, and that on the subsequent bidding the deal should be open. He said he

could aid in that. I said to him that I had the utmost confidence in his integrity and zeal to do the best for the State, and that I did believe he would not knowingly allow his reputation to be tainted with the least semblance of wrong. And I do not. I am forced to say, however, from what little that I could learn, that there is a combination of bidders in the supplies which yield them extravagant profits. On the hustings and in the Senate I have been the firm friend of the Trustees and yourself. As Superintendent I know how zealously you have labored to bring the institution to its present high standard; I know how honest you are, and the pride you take in maintaining your reputation; I know, too, how the Board of Trustees has seconded your efforts in harmonizing and making the asylum the very first institution of its kind in the country. In the future, as in the past, I propose to stand by you, but let me say frankly that I do not, in my humble capacity, if I can prevent it by exposure in the dailies, allow a ring of cormorants, seeking only personal pecuniary gain, to load the institution and the party in the State with odium; knowing what I do I shall await events in the future. I make no threats, but knowing wrong have the courage to expose it. Please forward a full list of supplies and articles needed in your January letting. Excuse the extreme length of this letter.

Very truly yours,

ELI W. BROWN.

Q. I will ask you if you recollect the facts referred to in that letter?

A. No, sir.

Q. You know him?

A. Yes, sir.

Q. That's all you know about it?

A. Yes, sir.

Q. Was there any change made in the requisitions for food from Dr. Fletcher's list when Mr. Galbraith came in?

A. I think not.

Q. When was it that they had a fire at the asylum?

A. I think it was four years ago.

Q. What part of the building was destroyed?

A. It was the boiler house.

Q. Was there any appropriation made to rebuild it?

A. I think that the Legislature appropriated \$30,000.

Q. Was the building that was burnt ever rebuilt?

A. Nothing except the roof.

Q. How many carpenters are there at the Hospital?

A. I believe there are four.

Q. How long have these men been there?

A. I don't remember the time. One of them has not been there over four or five months.

Q. Have you a head carpenter?

A. Yes, we have what we call a boss carpenter.

Q. Is he a practical carpenter?

A. I think so.

Q. Has he ever learned the trade?

Q. I think so.

Q. What is his name?

A. W. F. Cobb.

Q. Does it require four carpenters to do that work out there?

A. Yes, sir.

Q. Do you remember a carpenter shop that was sold?

A. I don't think that I do.

Q. There was a carpenter shop there at that time?

A. I think that it was just a shed.

Q. Was it sold?

H. Well, there was two or three wagon loads of old lumber out of it sold.

Q. You sold it?

A. Yes, sir.

Q. Do you know how much you got for it?

A. No, sir; it was turned into the Board.

Q. Your requisition shows that about the average of ten pounds of coffee was issued to Mrs. Galbraith's kitchen?

A. Yes, sir.

Q. How many persons eat at that table?

A. I believe about thirty-five or thirty-six.

Q. I ask you if one pound and ten ounces is enough coffee for thirty-two persons per day?

A. I can not say.

Q. Tell me whether it is enough or not?

A. I believe so. I have heard no complaint made.

Q. Will you state if in your opinion it is enough?

A. I would say that I think so.

Q. Will you tell me how they could use 10 pounds a day?

A. It seems to be out of proportion.

Q. Is it not five or six times too much?

A. I think so.

Q. Do you tell me that you made an addition of five or six times as much?

A. We issued as was ordered.

Q. You disclaim any knowledge of the reason?

A. I don't understand it.

Q. Can you give any information as to this?

A. We simply filled orders as directed by the Superintendent.

Q. When he ordered 10 pounds sent to supply 36 persons you sent it?

A. Yes, sir.

Q. Did you understand that the officers were to have more coffee than the patients?

A. No, sir.

Q. And still you sent them 10 pounds a day?

A. Yes, sir.

Q. I will ask you if you did not know that it was more than was actually needed?

A. No, sir.

Q. Do you know whether or not there was any discrimination between officers and patients?

A. I don't think that I would be justified to testify to that fact.

Q. I will ask you if there was not discrimination against the patients?

A. I can not say that there was.

Q. You do say, though, that 1 pound 10 ounces is enough for 32 patients and that 10 pounds for 36 officers?

A. Yes, sir.

Q. And yet you can say that there is no discrimination between them?

Witness was then excused.

THURSDAY AFTERNOON, March 7th, 1889.

Dr. F. M. Howard, being duly sworn, testified as follows :

Q. State your name to the Committee.

A. F. M. Howard.

Q. Where do you reside ?

A. St. Paul, Indiana.

Q. What is your business ?

A. I am a physician.

Q. Were you ever connected with the Insane Hospital ?

A. I was.

Q. In what capacity ?

A. I was Assistant Physician.

Q. At what time was that ?

A. I think it was in October, and I came away in the following July.

Q. What part of the Hospital did you have charge of ?

A. I was in the Department for Women.

Q. Who was the Superintendent ?

A. The present Superintendent.

Q. What were your duties as such officer ?

A. I was one of the medical staff, and having one division of the department.

Q. How was that part of the Institution managed while you were there ?

A. I had some fault to find as to the management.

Q. You may state what criticism that you had especially to your part ?

A. I don't know just how to commence that.

Q. Well, about what part did you object to ?

A. Well, there was fault to be found in the discipline.

Q. Well, what was this fault ?

A. Well, the private secretary was paying some attention to one of the attendants in my division, and he was permitted to make visits to one of the wards that I had charge of at unreasonable hours, and with the knowledge of the Superintendent I objected to it.

Q. Did you then inform the Superintendent of that fact ?

A. I did.

Q. And ask that it should be stopped ?

A. Yes, sir.

Q. What was his reply?

A. He did not say as to whether he would stop it or not.

Q. How long had this been going on?

A. I don't know as to the length of time.

Q. Did you ever call the attention of Kyte to the matter?

A. Yes, sir; several times.

Q. What else did you do?

A. I carried my complaint to the Board and asked the removal of Kyte. Their reply was evasive, but I pressed the matter, and finally secured the removal of him.

Q. How long was this after the complaint until he was discharged?

A. I don't know whether it was in December or January that I called attention to the fact, but his discharge did not take place until July.

Q. Did you hold that position all that time and permit that to go on?

A. I could not help it.

Q. Had you no authority to do that?

A. I did not.

Q. At what time did he make these visits?

A. Some times in the evening and some times in the night.

Q. You knew that he was there for no good purpose?

A. I never charged as to his purpose there.

Q. What did you charge?

A. I charged that he had no business there.

Q. Was he a relative of this young lady?

A. I say she was a patient of his.

Q. Do you mean to say he was having improper relation with the lady?

A. I don't know as to that, but I have my opinion.

Q. If he went there at improper times would not that imply that the purpose was not a proper purpose?

A. What I mean to say by improper times was that he was there when it was not proper to be there.

Q. I understand that he had no duties there at any time?

A. He had no duties there.

Q. What kind of complaint did you make to the Superintendent?

A. I said to him that it was a breach of discipline and that there would wrong grow out of it and that I did not want to take the responsibility.

Q. You say that those visits continued from January to July?

A. Yes, sir.

Q. Did he ever come back and see the young lady?

A. Not while I was there.

Q. Has he ever been employed since at the Hospital?

A. I don't know.

Q. What were his duties there?

A. He was the timekeeper and type-writer.

Q. Was it his duty to keep a list of the patients?

A. I don't know as to that.

Q. Then there was no duty that would bring him in that department?

A. I know of none.

Q. Do you know of any other lack of discipline?

A. I could mention some others.

Q. That is what we want to know?

A. There was a rule in the institution, that after an employe had been discharged for cruelty, that they should not again be employed and I have known of cases of that kind.

Q. Was that during your time?

A. Yes, sir.

Q. How often would that occur?

A. It would not occur very often.

Q. Do you remember any instances of that kind?

A. Yes, one.

Q. Do you remember of any other?

A. Not of that kind.

Q. Well, of any other kind?

A. Well, there was a man attendant discharged and one of the Trustees told me about it.

Q. Do you know the name of this man?

A. I think it was Hazzard.

Q. Who was the Trustee that informed you?

A. Mr. Gapen.

Q. Did you know what that cruelty was?

A. I did not investigate the matter.

Q. Do you know of any case of cruelty?

A. In all the time I was there I don't think that there was a single one. I give the attendants credit for their humanity.

Q. Can you name any other one?

A. I had some objection to the druggist out there.

Q. What was your objection to him?

A. Well, he would get under the influence of chloroform.

Q. What was his name?

A. Mr. Jamison.

Q. Was that of frequent occurrence?

A. I know of it several times.

Q. Was such a person fit to occupy that position?

A. When he was in that situation he was not fit to do anything.

Q. Do you know of any harm growing out of that condition?

A. I don't know as I do.

Q. Would he be incapacitated from performing his duties by the reason of it?

A. He would not be permitted to perform any duty while in that condition.

Q. Who would then perform his duty?

A. His assistant would.

Q. Did his conduct interfere with the duties of his office as to cause any injury?

A. Not as I know of.

Q. Was there any neglect of duty by the reason of it?

A. He would not be capable of any duty at all.

Q. Was there any need of an assistant if he had been a capable man?

A. Taking into consideration all the duties he had to perform I think that an assistant was necessary.

Q. Do you know of any other instance of the lack of discipline?

A. I know of another instance that might be spoken of in regard to one of the staff that I was associated with.

Q. What was that?

A. He was addicted to the use of intoxicating liquors.

Q. To what extent?

A. Well, he would get pretty full.

Q. How frequently?

A. I could not say as to that.

Q. What was his name?

A. Dr. Wiles.

Q. Did this interfere with his duty?

A. I don't recall any instance ; it was mostly after the hours of duty.

Q. How long has he been there?

A. He was there when I went.

Q. And is there now?

A. Yes, sir.

Q. Was he in the same department that you were?

A. He was in the same, but not in the same division.

Q. Did his drinking interfere with his duty?

A. I would see but little of him when on duty.

Q. Do you know of any instance of neglect that grew out of his habit?

A. No; I would not say that he neglected his duty.

Q. Do you know of any injury that resulted from this drinking and lack of discipline?

A. No, sir; but the example was bad.

Q. Did the Superintendent know of this fact?

A. Yes, sir.

Q. Do you know Dr. Thomas?

A. Yes, sir.

Q. How long have you known him?

A. I have known him probably four years.

Q. Is he a man of sobriety?

A. I can not say as to that matter.

Q. Was there any other person that you was associated with that was in the habit of drinking too much?

A. Not in my association.

Q. In any other department?

A. No; I don't recollect of any instance.

Q. Can you name any other instance of the lack of discipline?

A. Not that would be worth dwelling on.

Q. Well, a great many small things make large ones?

A. Well, I think that there was a lack of executive ability.

Q. Was that in the Superintendent or in the Board?

A. Well, I might include both.

Q. If there is any other matter that would be of use to the committee you may state it.

A. I don't know as to that.

Q. Do you know anything of the relation of Sullivan and the Board?

A. I knew something at the time of a \$1,000 transaction between Sullivan and the Superintendent. I could never learn whether he borrowed from the Superintendent or from Dr. Harrison.

Q. What about the \$1,000.

A. I think that I was there at the time the transaction was made, but was not a witness to it; only heard it spoken of by the Superintendent.

Q. You may state what the parties said.

A. My particular attention was called to the matter when the Superintendent was trying to get the money back from Sullivan, and one day when I met Sullivan in the city he told me that he had snubbed the Superintendent, and when the Superintendent undertook to make a demand for it, told him that he had got the money from Dr. Harrison.

Q. You don't know any thing else concerning the management of the Hospital?

A. I don't know as I can instance any thing more than I have told.

Q. What was your opinion of Mr. Galbraith's ability to manage such an Institution?

A. I think that he was lacking in executive ability.

Q. Now as far as you have evidence do you think that he is qualified for the position?

A. I don't regard him as being qualified for that place.

Q. Do you know of him ever having had any experience in the class of people before he was appointed to this position?

A. Until a short time before I had never heard of him.

Q. In your association with him do you think that he had a perfect knowledge of the details of the management of the Institution?

A. I can not say as to that but when I asked for the discharge of Mr. Kyte he said that he could not see how he could get along without him.

Q. Is it your opinion that he depends largely upon his subordinates for the management of the Institution?

A. He would of a necessity have to depend upon his medical staff for the treatment of the patients, and he depended more on the competency of the staff than on himself.

Q. Would he give attention to your reports?

A. Yes, sir.

Q. And act upon them?

A. Yes, sir, he would go at any time into the wards with me or hold consultations with me.

Q. Do you understand the method of giving the baths at the Institution?

A. Yes, sir.

Q. Do you think that it is possible for an attendant to give a bath to a patient so as to scald the patient so severely that he would die from the effect of it without it being neglect upon the part of the attendant?

A. I scarcely think that it could occur without some negligence.

Q. At any time did there come to your knowledge any negligence of attention to the care of patients by which any serious results occurred?

A. I don't know of a serious casualty in my division while I was there.

Q. Your relations with Mr. Galbraith were pleasant, were they not?

A. Yes, sir; our relations for the most of the time were pleasant; there was some difference growing out of something that I think that he might have had some feeling about, but the difference did not amount to much.

Q. Do you care to state the cause of your removal?

A. I have never stated the cause, and I only assume that the cause grew out of circumstances that I had no control over.

Q. Was there any reason given at the time?

A. The reason that the Superintendent gave was that the Hospital could be served by two assistants, and it was for the purpose of retrenchment in expenses.

Q. Did they afterwards engage another man?

A. I understand that another one has been taken.

Q. Do you have any knowledge of the supplies that went into the Hospital?

A. No, sir, I do not.

Q. Did you act as officer of the day?

A. Every other day.

Q. You inspected the meals as they were cooked?

A. After they were cooked.

Q. Do you think that there was any extravagance in the use of food?

A. I think there was.

By Mr. Fields:

Q. I want to ask about that \$1,000 transaction; you say that you knew about it?

A. I just tumbled to it as it were.

Q. Do you say that you heard some conversation going on between Sullivan and Superintendent.

A. I heard them talking at the telephone.

Q. Did you hear what Sullivan said?

A. Sullivan told him that he had no business with him.

Q. And that he had got the money from some one else.

A. Yes sir.

Q. Did you hear what the Superintendent said to him?

A. The Superintendent was rattled about it and wanted to get the money back, and Sullivan was defiant and gave him to understand that he had no transaction with him.

Q. Did he say anything about having got it on a contract?

A. I don't recollect about that.

Q. Did you hear Harrison say anything on the subject?

A. No sir.

Q. Do you know anything about Harrison and Sullivan's business?

A. No sir.

Q. Did you ever hear Harrison say anything about Sullivan?

A. Not in regard to business affairs.

Q. Ever hear Gapen say anything about Sullivan?

A. Yes, I have heard him talk about Sullivan?

Q. Did you know that he was engaged in Sullivan's poultry house?

A. I understood that he was working there.

Q. Ever know of them having any difficulty about the supplies furnished?

A. No, sir.

Q. Now about this \$1,000; you say that you gathered from the conversation that the man was Harrison?

A. I would not say positive, but as I recollect, that his name was mentioned.

Q. Can you tell how you got that idea?

A. I don't know but I heard Gapen say something about it.

Q. Do you know whether Galbraith ever got his money back?

A. I don't know.

Q. Do you know anything about the relation of Sullivan with the Hospital as to furnishing of supplies?

A. Only the general fact that he was one of the bidders.

Q. Did you get any information that he was a successful bidder?

A. I think I understood that to be a fact.

Q. Do you know how you got that idea?

A. I don't.

Q. I ask you if it was not generally understood that he was a successful bidder?

A. I think it was.

Q. What do you mean by a successful bidder? That he would make more on his bids?

A. I mean that he would get his bids accepted oftener.

Q. I will ask that if it is not a fact that it was on account of some special relation, and the standing of the Board to him?

A. It might have been.

Q. Did you ever have any talk with Gapen upon the subject?

A. Very little.

Q. Did you, at any time, warn Gapen that he had better get out of the Board or away from Sullivan?

A. I think that I advised him to that effect.

Q. Can you tell what that conversation was?

A. I don't recollect, exactly, but I think I said to him that something would get wrong and that he would be overthrown.

Q. When did you retire from there?

A. In July last.

Q. What department were you in, male or female?

A. The female.

Q. There are two kitchens in that department, a general and an officers', are there not?

A. Yes, sir.

Q. Do you know how many persons are cooked for at Mrs. Galbraith's table?

A. I don't; I never listed them.

Q. Did all the doctors eat at that table?

A. I think so.

Q. Where did the general attendants eat; at the general kitchen?

A. They took their meals in the general dining room.

Q. Did any of the attendants eat at Mrs. Galbraith's table?

A. I can't say; I think that they are furnished from the general dining room.

Q. Do the assistant physicians have their dining room separate from the Superintendent?

A. Yes, sir.

Q. Can you tell how many persons were served at Mrs. Galbraith's table?

A. No, sir, I can not; the medical staff always went in first, and then their employes, and then the medical staff came out and I could not tell how many.

Q. What I want to know is how many persons are served at Mrs. Galbraith's table?

A. I would not feel safe in making a statement.

FRIDAY MORNING, MARCH 8, 1889.

Mrs. Mary E. Hyatt, being duly sworn, testified as follows:
Examined by Mr. Hays.

Q. State your name?

A. Mary E. Hyatt.

Q. Where do you live?

A. Haughville.

Q. How long have you been living there?

A. Three weeks last Monday.

Q. Where did you live prior to that time?

A. From the 24th of March, 1887, until the 7th of November, 1888, I was employed at the Insane Hospital.

Q. Where did you live before you went to the Hospital?

A. Most of the time I have been here in the city. I lived about two weeks in New Mexico, and then came back home in June, 1886.

Q. Who was the Superintendent when you went there?

A. Dr. Fletcher.

Q. Were there any changes made while you were there?

A. Yes, sir.

Q. What position did you hold there?

A. As matron. Dr. Galbraith called us attendants, but Dr. Fletcher called us matrons.

Q. What particular department were you employed in, in the male department?

A. I had charge of several wards. After Dr. Fletcher went away I had three.

Q. Was there any reduction in the attendants after Dr. Fletcher went away?

A. While Dr. Fletcher was there there were not matrons on all the wards.

Q. Did you have any relatives there as patients in the Hospital while you were there?

A. Yes, sir; a son.

Q. What is his age?

A. He is now 26 years old.

Q. When was he first taken to the Asylum?

A. Some time in 1886, if I am not mistaken in July, since I came from New Mexico; I took him there in the latter part of August after I came back.

Q. Where is he now?

A. He is at Haughville?

Q. Do you keep him at your house?

A. Yes, sir. I have bars across the windows of his room, and strap his hands behind him. He is not violent.

Q. Why did you take him from the Hospital?

A. Because of the cruelty practiced there.

Q. I will ask you first about the quality of the food served on the tables; what kind of meat did they have?

A. While I was there it was almost always of a poor class. They have what they call special rooms on the north and south wings. These are supposed to be for patients that are very delicate and cannot eat much. A few of the patients are allowed "specials" out of these rooms when they are delicate. In the general dining rooms I never saw a piece of beef steak on the table during the time I was there. For breakfast sometimes they would have a kind of a stew. They would have potatoes fried up with old meat rind, and sometimes a piece of old steak, or old boiled meat. They would have this more often than any other kind of meat. They would have this boiled

and sometimes stewed for breakfast. I never saw a piece of nice roast on the dinner table while I was there. It seemed to be boiled until the strength was all out of it.

Q. Was there any change in the character of the food after Dr. Galbraith was made Superintendent?

A. I never saw any change.

Q. How were the potatoes cooked?

A. A good many times they were cooked in such strong grease and smelled so bad that they made me sick. I would say they were not fit to eat, and have set them off the table many times while I was there.

Q. How were they fried?

A. In strong grease. I could not eat them, and would seldom permit the patients I had charge of to eat them.

Q. What kind of food did these people require?

A. A great many of them are delicate; sometimes they would sit down and would not eat any thing, while others were very hearty. At dinner I never saw any butter on the table.

Q. Were you at the table when the patients were there?

A. Yes, sir; it was my duty to help wait on them, and see what kind of food they had. If they did not care to eat I used to assist them and see that they got something to eat. While Dr. Fletcher was there they used to make a daily report of the food, but after Dr. Fletcher left I did not see anything more of this. The attendants made this report.

Q. How long after Dr. Galbraith came there was this discontinued?

A. I do not remember; I know it was quite a little while before I came away.

Q. You say they never had butter for dinner?

A. Never. For dinner they usually had two kinds of vegetables, and then sometimes they did not; but they generally did. They would have potatoes boiled with the skins on them, and no butter to eat with them. They had light bread which was almost always good. No tea nor coffee for dinner. I never saw any sweet milk in the dining room while I was there; once a week, or sometimes twice, they would have buttermilk.

Q. Did they have no sweet milk on the general dining room table while you were there?

A. No sir ; it was in the special room. Sometimes we were allowed to bring a special out and put it on the table for patients in the general dining room—a little cup that would hold about a gill.

Q. Do the patients of the male department eat in one dining room, and those of the female department in another?

A. Yes sir, they are separate.

Q. What you have said refers to the male department?

A. Yes sir, I know nothing about the female department.

Q. How was the butter issued for meals?

A. For breakfast, for, I think, about thirty men; I have seen a half a pound of butter; and before they would all be seated at the table it would be on two or three men's plates, the rest would do without; and the same way for supper. I put that in the report myself, and the Superintendent wanted to know of what article there was not enough, and I said butter; he asked why I did not ask the man in charge of the dining room for it: I told him I had, and that he said there was no more. A patient in a side room had charge of the butter; and I would sometimes slip in there and get some for a patient, but if they found it out they would take it away from me.

Q. That continued while you were there, until last fall?

A. Yes, sir; until I left there, on the 7th of November.

Q. How frequently did you make complaint about there not being sufficient butter?

A. I could not say; I spoke of it continually.

Q. Was there any increase in the amount of butter supplied while you were there?

A. No, sir; I never saw it.

Q. Was there any pastry?

A. Once in awhile they would have pie, made in the shape of a cobbler. The crust had no shortening, and they were soft and not fit to eat.

Q. Did the patients eat them?

A. Some of them did, and some did not. The very crazy ones, who had had nothing for a long time, would eat it; but the more delicate ones would not touch it. They would cut these pies into pieces and put them into pans, and then take a dipper and dish them up, and they were all mashed up, and no human being, it seems to me, would eat them in that shape.

Mr. Howard :

Q. You were not there since last November?

A. No, sir; not as an employe.

Q. You say that during the time you were there milk was not furnished to the table?

A. No, sir; I never saw any, except the specials for the delicate patients. I would tell them about some man who was very sick, and I would give an order for that man, out of the special dining room, for a little milk; but that is all. They had buttermilk.

Q. Do you know that milk is used now for dinner at the female department, on the general table?

A. I do not know.

Q. You know nothing of the table at the female department?

A. No; I went there once, and Dr. Galbraith took me through. I did not see any milk, but the tables looked much nicer than in the male department. I think everything was neater there than in the male department.

Q. Was it cooked better?

A. I did not have an opportunity to see whether the food was cooked better; but every thing presented a better appearance. I think Dr. Galbraith thinks it is so in the male department; but it is not, and never was while I was there. I noticed an article in the News which said a quantity of milk was furnished in the hot weather, and I wondered where the milk went to. I was changed onto another floor out there one time, and going to another matron's room I found three large pitchers in one of the wards out of which milk had been drunk during the night. If I went into the special room to get milk for the sick patients they would give me a little cup holding about a gill, and it would be about half full; and when I would ask for more they would say there was no more, and then I would see these pitchers in the morning. I told the matron that the milk was being carried to the wards and drunk by the attendants. She said that could not be, and that the man in charge of the milk would not do such a thing. I told them if they did not investigate it, I would.

Q. When they did not have milk on the general table, what did they have to drink?

A. Water. They would have for dinner two kinds of vegetables, light bread, and sometimes this meat, no butter, no tea nor coffee. A Mr. Reeves, one of the patients out there, had cholera morbus. I asked an order from Mrs. Brown for some delicacy for him. She said they would have a good dinner that day, which was Sunday, but that she would give an order for his supper. The dinner was tomatoes and boiled potatoes with the skins on them, no tea nor coffee, and light bread and corned beef. I went into the attendants' room and got some tea and crackers and whatever I could gather up, and the man in charge of the room told me it was against the rules to carry things out of there. I told him to report me. I do not know whether he did or not. I thought the man ought to have those things to eat. I did that until the man got well. I asked Mrs. Brown three times for things for him, but I never got them until I carried them out of the room.

Q. When was this?

A. I can not remember the dates of these occurrences. I would make a note of everything reported; but I was sick one time for three weeks, and during that time my room was rummaged and all of these notes were taken out and destroyed, and this is why I can not remember the dates. The notes I have now are those I can remember. Some of the things that happened I can recollect, because I can never forget them.

Mr. Howard:

Q. You say that while you were sick at the Hospital your drawer was rummaged?

A. Yes, sir. I do not know who did it. There was a nurse sent there to nurse me while I was sick, and when I got well my notes were all gone. That is why I can not give the dates. Mr. Reeves lives here in the city, and he can tell you about these things.

Mr. Hays:

Q. Was Mr. Reeves discharged as being restored?

A. Yes, sir.

Q. What is his full name?

A. I do not remember.

Q. Do you know where he lives?

A. I do not. I think he told me he was employed at King-an's Pork House, as book-keeper; I will not be positive. I saw him on the street not long ago.

Q. Do you know whether he is engaged in any business now?

A. I do not know.

Q. How about the sugar, Mrs. Hyatt?

A. They would have oat meal and not a bit of sugar to put on it. They would put it in a pan and pour a little milk over it; sometimes there would be milk, and sometimes not. There would never be any sugar on it. Sometimes I would go and "hook" some sugar.

Q. Were any of the attendants or matrons allowed to do that?

A. No; I did it for the patients; I never took anything for myself.

Q. Were they allowed to get things for the patients?

A. No, sir, I had to do it without their knowing it. If Mr. Sheridan had known it he would not have allowed it.

Q. How about the tea and coffee; was sugar supplied for those?

A. Sometimes I could not taste any. It was put in before the tea and coffee was put on the table. I have tasted it and could not taste any sugar in it. I never saw any sugar on the table while I was employed at the hospital.

Q. Was there any change in the amount of food furnished, or the variety, during the time you were there?

A. I never saw any; it seemed all the time the same.

Mr. Henry:

Q. You said you went there on March 24, 1887?

A. Yes, sir.

Mr. Hays:

Q. You said there was never any sweet milk on the table in the general dining room, to drink?

A. No, sir, with the exception of the little bit poured on the oat meal, but they never had milk to drink.

Mr. Howard:

Q. You do not know how it is since you left?

A. No, sir. I go there occasionally to see Mrs. Galbraith, but I do not see the dining room.

Mr. Hays:

Q. How about with tea and coffee, were they ever served with milk?

A. It was put in before they were put on the table. If a patient did not like sugar or milk, and I went to get him a cup without them, I have had it taken from me, and they would say I was spoiling the patients. One patient, Mr. Andrews, did not get any coffee on that account.

Q. In what manner was the food served that was put on the table?

A. On Friday, they always had fish. I have seen cucumbers on a plate with vinegar on them, and mackerel on the same plate. I have seen melons cut up in large pieces and put in a pan, and then taken around and thrown down on the same plate with the cucumbers and mackerel. I would go to a side table to get dishes to serve the meals right, and sometimes the waiters and those in charge of the dining room would take them away from me. Mr. Connors and Mr. Sheridan did this.

Q. What difference did it make to them if you did this?

A. It made too many dishes to wash; and the patients washed all of the dishes. I told Mr. Connors that I would wash the dishes myself if they would let me serve the food in a respectable manner.

Q. Was the time allowed to patients for eating their meals limited?

A. Yes, sir. The rules say, as I understand it, that they must have from twenty minutes to a half hour. They ring the bell for them to leave all the wards, and some of them are on the fourth floor, and they have to come down to this dining room to eat.

Q. By themselves, or are they brought down in charge of some one?

A. They are brought down in charge of the attendants, one in front and one behind. When they are done there is a bell rung for the knives and forks to be taken away. I have known it to be only eight minutes from the time they went down until the second bell rung for the knives and forks to be taken away. I repeatedly remonstrated, but they said they had enough time. I pointed out one old man who was paralyzed and told them he had not had enough to eat. I saw one of the attendants grab a poor old man and make him go up stairs before he was through eating.

Q. What was the manner of these attendants toward the patients; was it gentle and kind?

A. No sir. The best way to describe that is, that it is about like Uncle Tom's Cabin speaks of those days; it is master and slave.

Q. Are they treated as patients or as slaves?

A. They are treated as slaves: Dr. Thomas is a great big, cruel, heartless man. He treats employes as slaves. He tries not to allow anybody to think anything not in accordance with him. He always treats the patients in the same way: it is simply master and slave in the male department, there is no doubt about it.

Q. Have you reported to Dr. Thomas, or any one else, the fact that patients were not allowed sufficient time to eat?

A. Yes sir, I went to Dr. Thomas and told him how it was. He wrote a little note and handed it to me, to give to the Supervisor. I gave it to the Supervisor and he said "Mrs. Hyatt, I should think these people ought to know enough to tell whether they are done eating or not:" and the next meal it was the same way; there was no change at all.

Q. What was in that note?

A. I think that Dr. Thomas told Mr. Forest, in the note, to see that the patients had time to eat; I did not read the note.

Q. Was there any change in the time allowed them after that?

A. No sir; it went on in the same way. I went to Dr. Thomas again, and told him. There was a gentleman there, a man of influence, whom we will call Mr. "C." He was there for drinking, or something like that. He was discharged at this time, and was waiting for them to come for him, to bring him home. Dr. Thomas is a very egotistical man and likes to make a good appearance before that class of people. I thought of a plan to bring the plan before Dr. Thomas in such a way that he would pay some attention to it. I was talking to Mr. C, and said I would report it. He told me not to report it on his account. I told the Doctor what was going on, and that the patients did not get enough to eat. I told him Mr. C said not to report it on his account. Dr. Thomas jumped up and went into the ward where Mr. C— was, and told the attendant that if he saw any knives and forks taken out of the hands of patients, to knock the parties down. This was before Mr. C—. After that time, I could hardly live in the Hospital for they knew I reported it. They had a dirty mop set within a few

feet of my plate. I never reported anything done to myself, except one time. It was always things done to the patients. After that they had a long time to eat, sometimes they had fifteen minutes; but I never knew them to get twenty minutes. Whenever they rung the bell too soon, I would go and report it.

Q. I want to ask you about clothing for the patients. In what condition was that kept?

A. On some wards it was kept very nicely. They have boxes, and the attendants have the keys and lock them. It was my duty to see that these boxes were kept in nice order, but on some of the wards the boxes were locked against me. It was my duty to go through the boxes and take the mending out, and replace it. I was troublesome to the attendants, and to some of the officers, and they wanted to get rid of me. I was troublesome because it was my duty to report the abuses, and I did it; and, of course, that made trouble for the attendants, but I did not care, and it annoyed Dr. Thomas; I was often told that I ought not to report these things to him, and that he would get tired after a while.

Q. How was the nursing of the sick?

A. Sometimes that was properly attended to, and sometimes it was not. They have a sick room, and some of the men they would take to that sick room if they had lots of influence, and friends that were influential, were taken there and treated, and I think well cared for. I know one man called Dougherty, who was brought there, and was on the E ward, who was very delicate and thin; and I was told by the attendants on the ward that he never had a drop of medicine while he was in the house. Bronson, Pritchard and Bear were the names of the attendants. I noticed when the Doctor went through, that I never heard him prescribe any medicine for him. I do not know what was the matter with him. He was in a ward where they turned off the heat about nine o'clock; and he would be taken into his room and put on a straw bed; and would be shivering with cold. Dr. Thomas came in one morning and told them to give him some milk, and said he would not be there long. He was not able to sit up, and they had him laying on a straw bed, because they were afraid he would fall off the bed. They would shut him up and go off walking, and leave him alone, and I would sometimes go and stay with

him. He was not violent and did not need to be locked up. They locked him up and kept him in his room while they were gone. He rallied and came out on the ward again, and was there a few days; but he finally got back to his bed; and I understand he died one night at 10 o'clock, without there being any one there.

Q. Do you know where he was from?

A. No sir.

Q. Do you know of your own knowledge that he died when no one was present?

A. Yes sir, I was told that; Brown, Butcher and Bear told me that. I kept watching him because I was uneasy, fearing he would die alone. I was there at 9:00 o'clock and they told me he was living.

Q. Do you remember a patient by the name of Keckler?

A. Yes sir. I did not consider him to be very crazy. His hobby was a very handsome pair of shoes that he had; he had nice clothing. The attendants wanted him to do the dirty work, and he would not do it. They wanted him to mop the floors and wash the dishes, and he would not do it; he said if they would ask him right he would do it. He would dress up and go to Sunday school and church, and was very proud. He was taken off that ward and put on another. He asked to be put on my ward, but they would not permit it. I went back to see him in a few days and he said his shoes were gone. He said he reported it to the Supervisor, but they could not be found. I talked to the Supervisor, and he said he would try and get him another pair.

Q. Did he explain why they were taken away?

A. No; he said he could not find them. I told the Doctor that Mr. Keller would get worse on account of worrying about his shoes, and he said he would see about it.

Q. Do those people have to be humored in their hobbies, to keep them from worrying?

A. He ought to have had his shoes, because he worried about them a great deal. If a man's mind is wrong he will worry more about anything. I offered to give fifty cents toward buying him a pair of shoes, but the others told me not to mention it, and that if it got to Dr. Thomas's ears I would be discharged.

Q. What do you know about his being allowed to go out in winter with nothing but his slippers on his feet?

A. They gave him a pair of shoes, plow shoes I call them, they were very heavy, and he would not wear them; he wore his slippers all the time. He was taken out walking in his slippers. He afterward got sick with a cold and got worse, and the doctor pronounced it consumption. He afterward went away, as insane a man as I ever saw. He did not know anything when he went away; and I think it was his treatment there that caused it all.

Q. Was he suffering from any cold before his shoes were taken away?

A. No, sir; he had had a spell of the typhoid fever, which he told me was the cause of his trouble, but he had gotten over it.

Q. What length of time was he compelled to go around in his slippers?

A. He never had anything else until he went home, except the plow shoes. He wore his slippers all the time, and would not wear the plow shoes.

Mr. Henry:

Q. Did you see him walking in the cold with the slippers on?

A. Many a time.

Q. You do not know whether he would not wear the other shoes?

A. I know he would not wear them, he told me so, time and again.

Q. It was his hobby to have these shoes?

A. Yes, sir.

Mr. Henry:

Q. Did you ever report that to Dr. Thomas?

A. No, sir; I reported it to Dr. Browning, who was the ward physician, and it was my duty to report it to him. He was the ward physician until a short time before Dr. Fletcher went away; and after he went away Dr. Thomas was the ward physician on the E ward, and I was on that ward all the time after he came there.

Q. Was this in Dr. Fletcher's administration, or Dr. Galbraith's?

A. Dr. Fletcher's.

Q. Did he know anything about it?

A. No; I at one time reported something to Dr. Fletcher, and there was no attention paid to it. I tried to get an order from Dr. Fletcher for something for my room; and I got a letter from Dr. Thomas, saying that it was against the rules to report anything to the Superintendent without notifying him; and that if I wanted to remain in the house, thereafter everything would have to go through his hands. After that I reported to Dr. Fletcher many things, to which there was no attention paid. My discharge was recommended to Dr. Fletcher several times after that. I reported an attendant once, for knocking a man down and kicking him shamefully.

Q. Did you ever report anything to Dr. Galbraith?

A. When Dr. Galbraith came there he was inexperienced, and had to depend on Dr. Thomas, on account of his experience. If I had reported things to him, against Dr. Thomas' will, I would have gone out of the house immediately, I think.

Q. When you reported to Dr. Thomas, did he correct the abuses?

A. It was owing to who the attendant or employe was; if it was some man there of influence, some influential man, there would be no attention paid to it.

Q. Can you give a single instance of where you reported a single case of cruelty to Dr. Thomas, and he did not correct it?

A. Yes, sir. There was a man brought there by the name of Spencer; a young man, whose father had been there. He was put on a back ward. This was in June, 1888, last June, I think about the 26th. The first I saw of him, I saw an attendant throw his feet from under him and let his head strike the floor; and then this man jumped upon him and beat him in the breast with his fist, and halloed to know if he would give up, and another man was kicking him, and calling to him to know if he would not give up. He screamed and halloed murder, and I came out. They let him up, and Forrest, the Supervisor, came in and put handcuffs on him. They then told him to sit down, and he would not, and they knocked him down. They tripped him, and his head struck the floor. I do not know how they did it, but they had a way of tripping a man so his head would strike the floor. You can imagine a man falling like he was dead, and his head striking the floor. After Mr. Forrest put the handcuffs on him, he kept on talking; he said Dr. Thomas was an old rebel, and that Mr. Bron-

son was an old rebel—and he told the truth in both cases, in my opinion, because Bronson is from South Carolina, and he acts like one, and Dr. Thomas acts like one, too; that is my opinion. He said Dr. Fletcher tried to have things right, and got discharged. That was the man's talk.

Q. I asked you to relate a case of cruelty that was reported to Dr. Thomas?

A. Then, Dr. Thomas came through the ward on his visit, and I was sitting talking to this man; he was as quiet as could be. The doctor talked to the attendant a little, and then he said: "Mrs. Hyatt, you come off of this ward, you are not doing this man any good." Dr. Thomas then went off of the ward, and I could hear this man screaming for help, and talking; and I did not dare open the door, because I was afraid. I went right to Dr. Thomas and said they were abusing Spencer shamefully. He said to let them abuse him; that he had hit him as he came through the office. He had spoken to the doctor and the doctor did not speak to him, and he hit him. I told him that he was handcuffed, and that he certainly would not allow them to abuse a man who was handcuffed. He told me to go back to my ward or I would be discharged. I went back to the ward and could hear the man talking. He was deformed; had a deformed foot; and the attendants would say they had a show, and would charge admission. That made the man mad, for he was proud, and he would curse them. I wrote to Dr. Galbraith, and I made a copy of the letter to send to Dr. Thomas. Then I went to Mrs. Galbraith and asked her if Dr. Thomas recommended my discharge would I be discharged? She said if Dr. Thomas recommended my discharge I would have to be discharged, for Dr. Galbraith knew nothing of me. Then I did not send him the report; I brought it in here and showed it to Dr. Maxwell, and asked him if something could not be done. I told him I could not report it, and if I did I would lose my position.

Q. Was there any time after that, when you saw him abused by the attendants?

A. Yes, sir; one day when they were out walking, the man holloed and talked and cursed. I saw Owens go down there from his room and another man who was a stranger. I took off my shoes and slipped down there and looked into the lodge and saw them beating him with their fists and asking him to

give up. I reported it to Dr. Thomas and he said, "I tell you I know more about Mr. Spencer than you do."

Then there was another man who tried to get away while they were out walking. I saw them bring him in. They brought him in a side door, and I went out and looked down. Just as one of them got him in and got the key turned they began to beat and kick him. Connors was one of the men and Johnson was the other. I called to them, and they quit at once. I reported it to Dr. Thomas, and those men remained there until I left. Dr. Thomas went out and examined the man and said there were no bruises on him. He came up afterwards and asked me how the men were standing; I told him, and he wanted to know where they struck him, and I told him that.

Q. If the examination was made shortly after he was beaten could not the bruises have been detected?

A. I could not say about that.

Q. Did they both attack him with their fists?

A. Yes, sir; they kicked him and pounded him with their fists. I called to them and they quit.

Q. Dr. Thomas made an investigation of that?

A. I think he did; can not say.

Q. He came back and asked you about it?

A. In about three days he came back and asked how the men were standing, etc. I think it was about three days.

Q. He was making further examination as to the facts in that case of abuse which you reported, was he not?

A. I do not know what he was doing. Yes, he was in that case, but the attendants stayed, and I never heard of anything being done.

Q. Was he not investigating the extent of the facts?

A. I can not say. That is what he asked me, and that is the last I heard of it. I think he wanted to seem as if he was investigating it, and did not want to discharge those men. I understood that Mr. Johnson was in the saloon business, or his brother was; and that they were particular friends of Dr. Thomas; that is what I have been told. The rules say positively that no patient shall be hit, and I want to say that it is very seldom necessary to strike them.

Q. Do you know of any other case of cruelty reported to Dr. Thomas?

A. Yes, sir.

Q. You could not remember the name of the man who was abused that way?

A. No, sir; he came from the South, somewhere.

Q. Do you remember the month?

A. I can tell nearly the time. I came away in November, and I think it was in October, about three weeks before I came away.

Mr. Hays:

Q. Do you remember a patient by the name of Simms?

A. Yes, he was there when I was. He was a man, I think, about 60 years old. When I saw him he was very crazy and very sick. He had been a tobacco chewer, and they would not allow him any tobacco, because he would spit on the floor. He would run his fingers in the spittoon and take tobacco out. They kept him on a hard seat and he was tied, and when he tried to get up to get tobacco they would hit him over the hands with something they had that was iron; I think it was a piece of gas pipe; and when he went home his hands were deformed and his ankles bruised from the blows he received in this way. I saw this done. Dr. Fletcher told Mrs. Brown to see that Mr. Simms got something to eat. She said she would tell me to, and I used to go away down in the lodge and feed that man. He knew everything. After he was discharged and ready to go home he could tell me everything I did for him, and he said if I had not come on to the ward when I did he would have been killed. He had a great scar on his head. He said to me one day when he was waiting for the Sheriff to come after him: "I am a working man and can not work any more; look at my hands, and this scar on my head." He said Sam Wirt did it. I told him to report it to Dr. Thomas. He did so, and Dr. Thomas laughed and said: "Well, Mr. Simms, you were a fighter."

Q. Did you hear this reply?

A. Yes, sir.

Q. Did you say they would strike him on the ankles?

A. Yes, sir, I saw them strike him on the ankles.

Q. Did you examine his hand afterwards to see whether the blows had caused any considerable wound?

A. Yes, sir, I examined his hand and it was bruised.

Q. Could you see whether or not the fingers were broken?

A. No, sir, but they were bloody and mashed up.

Q. Could his hands be mashed up that way without the fingers being broken?

A. Well, I think the bones had been broken, at some time.

Q. Were they broken at any time when you examined him, after he was beaten?

A. I took hold of his hands and he screamed and jerked them away and would not let me touch them.

Q. Was there any blood there?

A. Yes, sir.

Q. Was there any considerable gash on the ankles?

A. They looked black and red, and were bloody and skinned off.

Q. Was there any crush of the joints?

A. I could not tell, for he would not let me examine, but I noticed the blood.

Q. Where was the blood?

A. It was trickling down on the floor.

Q. Was that a mashing or a breaking of the bones, or was the skin broken at all?

A. The skin was broken, but whether or not the bones were broken, I could not say.

Q. If the hand was all mashed up as you described in the first place, would not that show that the bones were broken and that the ankles were broken?

A. My opinion is that if they would have let me examine his hands the bones would have been found to be broken.

Q. Why did you not go to the doctor and tell him that the man's hands were all crushed and broken, and that they ought to be dressed?

A. I told Dr. Thomas that they had been beating him with a poker, and that they had hurt him badly; but he never to my knowledge paid any attention to it.

Q. Did you tell him his hand was bleeding and mashed?

A. I told him that his hand was hurt.

Q. Did you insist on his going there?

A. No, I did not do that.

Q. Was your complaint against the man who performed the abuse or on account of the man who received it?

A. I told him that Sam Wirt had hit him on the hand.

Q. It was against the attendant?

A. It was for both.

Q. Then why did you not tell him to go and dress up the hand?

A. He would have discharged me; he did not allow anything of that kind.

Q. If the man had been dying there from want of attention, do you think you would have hesitated to have told Dr. Thomas to go there and dress his wounds?

A. Dr. Thomas did not allow anything of that kind.

Mr. Hays:

Q. Do you remember about Mr. Law?

A. Yes, sir. He was a very crazy man and was an inveterate tobacco chewer. He would also get into the spittoons because they would not let him have tobacco. They would not give him tobacco because he would spit on the floor. The employes at the Insane Hospital think the Institution is for a home for them. That is my opinion. Mr. Law was very troublesome; he was as much trouble as half the ward, and the patients did not like him. I saw a man hit him in the ear one day, and the blood run and his ear swelled up. I reported it to Dr. Thomas, but it did not seem to do any good. I heard one of the attendants say to another, "Is Mr. Law going back on to your ward again?" He replied: "I do not know. I hear his folks are coming to take him back home. If they don't come after him soon I will send him home if they put him back on to my ward." And a few days afterward the man died. It was Johnson who said this.

Q. You spoke of a man by the name of Keller, from South Bend?

A. He was a policeman. They used to send him over to the female department to wash dishes. He did not want to go, but they forced him to go. The Supervisor would tell the attendants to take a detail and go to the female department, or the ironing room, and wash dishes, or iron. They would then tell the patients to get up and come with them; and this man had to go to the female department and wash the dishes. He was on the convalescent ward. He would sometimes go around and get into the pockets. He was reported for going around and looking into the rooms. He was afterwards removed from my ward. One day I saw an attendant have him down on the floor and was kicking him. I think the attendant's name was

Parks; he had not been there long. I reported it to Dr. Thomas and he said all right I do not know what he did about it. The next time I saw Keller he was lying on a lounge. I asked him what was the matter, and he said: "Mrs. Hyatt, they have beat me to death." Mr. Murphy, an attendant, told me that he had helped Mr. Keller to undress, and that there was a great bruised place on his side, and that his shoulder blade was broken. Keller wanted to go home, and they sent for him; but he died before they could take him home. His wife came for him, but he was so bad that they could not take him home. His shoulder hung down.

Q. How long was it after he was beaten, that he died?

A. I think about ten days.

Q. Was there any report as to the cause of his death?

A. They said he died from paralysis. A patient there on the ward told me that he helped to bathe this man, and that his shoulder blade was broken and his side was bruised, a great big place.

Q. You said one of the attendants said the same thing?

A. That was Mr. Murphy, of Sullivan, this State; Dr. Murphy's son; Dr. Murphy that died.

Mr. Howard:

Q. Did you see Mrs. Keller there?

A. I saw a lady they said was Mrs. Keller.

Q. Was she Mr. Keller's wife?

A. Yes, sir.

Q. How long was she there?

A. I think it was just the day before he died.

Q. Do you know that she visited her husband several times while he was there?

A. They said she did.

Q. Did you know that Mr. Keller was sane, part of the time; and part of the time he was insane?

A. No, I did not know that.

Q. Did you have any conversation with him?

A. Yes.

Q. Did you notice in the conversations, the different conditions of his mind?

A. Yes, sometimes he would seem to take a turn from his usual talk, which was about his wife and children.

Q. Do you know whether he informed his wife when he was rational that he was treated well?

A. No.

Q. Do you know that his wife examined his body and found that he was not injured at all?

A. No.

Q. Do you know that the officers from South Bend made an examination of the body and found that there were no wounds?

A. No sir.

Q. These were reports that you heard at the time?

A. No sir.

Q. You do not know that Mr. Keller said it was untrue that he was treated in that way; and that he told his wife he was treated well; and that she made affidavit to that effect?

A. No sir.

Q. And that the officers from South Bend made affidavit that they had examined the body, and that it was free from injury?

A. No sir.

Mr. Henry:

Q. Did you report this to Dr. Thomas?

A. I reported it when I saw them whip him. Mr. Murphy said he undressed him, and showed Dr. Thomas the bruises.

Mr. Hays:

Q. You did not see the bruises?

A. No, I saw them hit him and kick him; they had him down on the floor; just as I came into the room I saw this man, I think his name was Parks, hit him and kick him. When they saw me, they stopped at once. I reported to Dr. Thomas what I had seen, but I do not know what he did.

Mr. Howard:

Q. Did you see Mr. Keller's brother, when he came there from South Bend?

A. No sir.

Q. Do you know whether he told his brother that he was not ill treated?

A. No sir.

Mr. Henry:

Q. Do you know who started these reports about the abuse there; I mean about his shoulder being broken?

A. Mr. Murphy told me, the first I knew of it, and that his side was bruised.

Q. He told you that Dr. Thomas knew that, and that he had shown it to Dr. Thomas?

A. Yes sir.

Q. You saw his shoulder hanging, and thought it was broken?

A. Yes sir, I saw his shoulder hanging.

Mr. Howard:

Q. Do you know that Mr. Keller stooped when walking, and that it was his habit to hold his head down.

A. The first time I saw him he walked straight, except that he held his head down a little.

Q. Did you not notice that that was his habit?

A. I noticed that he seemed to be looking for things; I noticed that peculiarity, but I thought it was because he used to be a policeman and was always looking around.

Mr. Henry:

Q. Are there not a great many rumors and a great deal of talk about abuses there when there is no foundation for it?

A. I do not think so. I do not think half the truth is told.

Q. You believe this case of cruelty was actually true?

A. Yes, sir.

Q. And believe it was just as true as any other case?

A. I believe it was true, because I saw them whipping him.

Q. You believe it is just as true as any other case you knew of?

A. I will not say that, because I did not see him beaten as I did Mr. Spencer.

Q. You saw his hands?

A. Yes, I saw them get up on top of him and kick him.

Q. Was that the one with the large foot?

A. Yes, sir; I have seen his foot many a time and have seen it bruised.

Mr. Hays:

Q. You did make this examination as to the extent of Mr. Keller's bruises, personally?

A. No, I did not examine him; he was not in my ward; but Mr. Murphy told me about it. Mr. Keller told him he was whipped to death; he said they hurt him and whipped him.

Q. Do you remember Dr. Sample?

A. Yes, sir; he went from the city here.

Q. From Indianapolis?

A. Yes, sir.

Q. What do you know of their treatment of him?

A. He was very bad and feeble. There was a man there by the name of Maloney, who used to go in drunk. One night he was brought in drunk at midnight—I was told so by an attendant. The next morning Dr. Sample was lying on a lounge, and Maloney got up and whipped him because he was making a noise, to make him hush.

Q. What age was Dr. Sample?

A. I suppose about forty-five, I do not know.

Q. Have you seen him mistreated at any other time?

A. He was only taken to the sick room a short time before he died. He was allowed to stay back in the bedroom and slept on a straw bed, and he had the combination clothes on him; they laced them up behind to keep him from tearing them off. They would take them off at night and he would walk the floor all night in that cold condition, until finally he could not walk; he got down in bed. I asked the Supervisor to take him to the sick room, and I asked them to leave his clothes on him, and they said he might keep them on, but the attendant said there was no necessity for it. He died a short time afterward. I think that was last winter a year ago.

Q. Do you remember Dr. Clifton?

A. Oh, yes. When he came in he was a fine looking man. A man followed him around and talked ugly to him until he hit him. Dr. Thomas ordered him back on the L ward, and I saw him the next morning, and his neck was all marked up where they had been choking him.

Q. Did you see the marks, yourself?

A. Yes sir. He told Dr. Thomas about it himself; and Dr. Thomas scolded the attendants.

Q. How do you know that?

A. I heard it. This man thought he was better than the rest of the patients, and he talked about his money. I heard the attendants say they would take that out of him; that by the time he came down on his head a time or two, he would get the big head taken out of him. I told Dr. Thomas this, and he was taken down in the E ward; and the next time I saw him his eyes were black.

Mr. Henry :

Q. You say you saw him the next morning, and saw the finger marks where he had been choked?

A. Yes, his neck was red, like he had been choked.

Q. Do you know, of your own knowledge, that he was choked by the attendants?

A. I said he looked like it.

Q. You said you saw the finger marks where he had been choked?

A. The attendants said a patient had done it; but I know how those things are.

Q. Did you examine so closely that you could see whether it had been done by fingers?

A. No, I did not examine his throat.

Q. He might have done that himself, might he not?

A. Oh, yes.

Q. Don't patients sometimes injure themselves?

A. Not so often as you think; they are not so apt to injure each other as people think, outside.

Mr. Hays :

Q. You spoke of the patients doing work; what kind of work?

A. The patients usually help in the dining room and in the ironing room, and the garden, and they go over to the female department and wash dishes. They go out and work in the garden and on the lawn.

Q. Do they do this voluntarily, or are they compelled?

A. Some do it voluntarily and others are compelled. It is against the rules to compel them to do it though, but they do.

Q. What is the extent of the manual labor as done by the patients out there?

A. I think, nearly all, from what I have seen; they take out details as they call for them.

Q. What do you know about the patients being required to wait on the attendants, instead of the attendants waiting on patients?

A. I have seen attendants make them black their shoes and wash their socks. I have seen Mr. Small make a man black his shoes, and when he came and set them down hard he made him pick them up and set them down right.

Q. Do the patients object to this?

A. Yes, sir; they nearly always do.

Q. Do they seem to understand it is humiliating?

A. Yes, sir, they certainly think so; I do not think there is a man there but who has some sane moments. They have lawyers and doctors and men of ability who are patients there. I know my son said he was made to black the shoes of the whole ward for Sunday-school and church. He said he was told to sit down and did not do it, and the attendant give him a lick, and he has complained that his side hurt him ever since.

Q. Do you know anything about a man falling off of the roof and being killed?

A. That man's name was Shannon; that was more than a year ago. I heard something over my head, in the attic, all day; and I told the Supervisor that I heard a noise over my head in the attic all day. In place of going into the ward, in coming back from breakfast, he went up stairs into the attic; that is what they say.

Q. How could he do that?

A. That is the question; they said they did not miss him for a half hour.

Q. Is it not the duty of the attendants to count the patients on returning to the wards?

A. Yes sir; it is the duty of the attendant to count them when they leave the ward, and when they come back from meals. I told the Supervisor that this man was in the attic. He said that he had been up there and examined, and that he could not find anybody. I heard the next day, that about 7 o'clock he climbed out on the roof and tried to climb down the lightning rod, and fell and killed himself. I asked an attendant at the table if she thought they would be discharged? She said she thought they would all be discharged; that it would depend on whether the friends of the man made any fuss about it.

Mr. Henry:

Q. You do not know how he got on the roof, or how he got away from the attendants?

A. No sir.

Q. Do you know what time he was missed?

A. I heard them say they missed him about 9 o'clock.

Q. Did you know it that day?

A. Yes; one of the ladies, Mrs. Talbott told me as she came through the ward.

Q. Were they hunting for him from that time until he was reported to have fallen off the roof?

A. I do not know.

Q. Did you not report that you heard the noise up there?

A. Yes, sir; I told Mr. Forrest, and he said he had been up there and could not find him.

Mr. Hays.

Q. Where did it turn out that he was?

A. Right where I told them he was.

Q. What time of the day was he killed?

A. I think about 7 o'clock. He was in the attic all day.

Q. That was the place you told them he was in?

A. Yes, sir.

Q. What was Mrs. Talbott, the Supervisor?

A. No, Matron; the same position I held.

Q. Do you remember about this man getting scalded to death out there?

A. That was a patient; all I know about it is, that he was on Mrs. Talbott's ward, and they had an investigation and the attendant who had charge of him was discharged. The attendant afterwards came into my ward and said that Dr. Thomas said he would not have discharged him if there was not so much said about it, and that he had a good recommendation from Dr. Thomas.

Q. Do you know a man by the name of Wirt?

A. Yes, sir.

Q. What was his position there?

A. He was an attendant.

Q. How did he treat the patients?

A. He was very cruel to the patients. He was the man that beat Mr. Simms. Dr. Thomas told me to go on the ward and watch Mr. Wirt, that he thought he abused the patients. I did this, and stayed there three weeks; they tried to scare me off, but I stayed. I reported the abuses. Dr. Thomas was taken sick and was sick two weeks while I was on the ward. The supervisor tried to get me to come off of the ward, said I would be killed. The supervisor reported to Dr. Thomas when he got well that I was not on the ward. I reported the abuses and Dr. Thomas took me off and put Mrs. Talbott up there to

see if they were abuses. The next day after she went up there, Mr. Wirt went off of the ward into the sick room, and for seven weeks he did not go back there, while she was on the ward; and she reported him as a good attendant.

Q. Do you know that of your own knowledge?

A. No, sir.

Q. What change was made in the quality of the eggs served there?

A. I did not see any change. It seems to me that in three dozen eggs, there would be a dozen and a half rotten. I would frequently take the dish and set them off the table.

Q. Were they served on the table not good?

A. Yes, sir, they would smell very bad and we would take the dish and set them off the table; I have seen the patients open one after another and find them bad.

Mr. Henry:

Q. How did they usually serve the eggs?

A. More often they were boiled with the shells on; sometimes they were fried, but not often.

Q. How often were they used?

A. Some times in the year the patients had them once a week.

Q. Did they not have them every Friday?

A. In general, the attendants most always had them on Friday for breakfast. They always had fish of some kind for the patients.

Q. Was it not a rule the last few months you were there that they would have them on Friday for the patients?

A. I do not think so. I remember we had them once a week, but I do not think it was a rule to have them on Friday.

Q. You may state how often they used milk in the department in which you were employed, for drinking—sweet milk?

A. With the exception of these specials that were brought out for the delicate patients from these two special rooms, I never saw any on the general dining room table for the patients while I was there.

Q. You said you thought that in the other department they had milk for the patients.

A. I said they might. I do not know anything at all about the female department. Mrs. Galbraith goes on the wards and talks to the patients and takes a great interest in them, and

they all love her, and she takes an interest in the Institution. I think Dr. Galbraith is a gentleman, and that if they would untie his hands he would make a good Superintendent.

Q. You said you thought Dr. Galbraith did not know that the patients in the male department did not have milk?

A. I do not think he knows it.

Q. To which department does he give the most time and attention?

A. To the female department. He lives there.

Q. Who had special charge and supervision of your department?

A. Dr. Thomas is the Assistant Superintendent. He never was in the dining rooms looking at the food. Dr. Browning used to be in the dining room tasting the food, but I never saw Dr. Thomas in there.

Q. Was there any difficulty between you and Dr. Thomas at any time while you were there?

A. No, sir.

Q. What was the cause of your discharge?

A. I can say that he treated me very kindly. If he had treated the patients as well as he treated me there would have been no cause for complaint, and they could not say too much in praise of him.

Q. Did you ever see him witness the mistreatment of any patient while you were there?

A. I think I did. There was a man sick there and he asked for a piece of beef steak one day while he was sick, and I asked the doctor if he could have it and he said no, dry bread was good enough. I considered that mistreatment of a patient. He had the authority to order it.

Q. You consider that mistreatment?

A. I do.

Q. You thought you knew better than the doctor what was good for the patient?

A. He did not say it was not good for him; he said dry bread was good enough.

Q. Was the meat refused especially on account of the man's condition, or because you had recommended it?

A. The man had been working all day, and had taken a notion that he wanted the steak. I think Dr. Thomas did not want me to suggest it, not because he did not want to give it

to him. I thought it would be a good thing to satisfy his mind, and that it would be a good thing to give it to him.

Q. Do you know of any other case?

A. What do you think of his telling me to let that man abuse Spencer?

Q. Did he tell you to let them abuse him?

A. I told him they were abusing Spencer, and he said, "Let them abuse him; he hit me as he came through the office."

Q. Do you not know from your experience that the treatment of some of the patients requires more strength and firmness than others; that some of them are very strong and violent, and that you have to use very vigorous restrictions to keep them in order?

A. I know there is a difference between abuse and government. I know they have facilities for governing and restraining patients without abusing them. I do not think it is abuse to make him obey, to whip him if necessary, but I do think it is abuse to knock his feet from under him and make his head hit the floor. Two or three men can take hold of him if necessary and put him in the dark room and lock him up. There was a man named Shay, who came out there, and he was very violent; they put him in a dark room and kept him there until he got quiet, and they never hurt him, to my knowledge.

Q. Do they use some extra means of control, or have more attendants to control a man of that kind?

A. Yes, sir; but they sometimes take off an attendant and send him out on detail, to do work; they ought not to do that.

Q. Was there anything else about Dr. Thomas' conduct, of which you are aware, that was not right or proper, in the treatment of patients, or in the performance of his duties?

A. I have seen him on the wards when I thought he was drunk. I could smell the whisky numbers of times, I could not say how many. At first, he used to come through the ward twice a day; but later, only once a day.

Q. Did his habit of drinking interfere with the performance of his duties?

A. I can not say.

Mr. Hays:

Q. What do you know, personally, about the way your son was treated while there.

A. I went in to see him one day, and as I went in I saw an

attendant, a man, I think, by the name of Steele, open one of the patient's doors, who was making a noise, and I heard him curse him. My son told me he was an awful man; that he was not used to that kind of a man. He said that Mr. Steele hit him on the head and knocked him down. I did not see it.

Q. Did you talk to any of the officers about his treatment?

A. I do not think I did. I went to Dr. Thomas and asked him if I could move him in and put him on my ward; that he wanted to kill himself. He said no, to let him kill himself; that he was no good to me or to himself. I think that is Dr. Thomas' idea of a man whom he thinks is absolutely insane.

Q. Did you take your son away because you wanted to keep him, or because you were afraid they would abuse him?

A. Because I did not want him mistreated.

Q. You say you think Dr. Galbraith, if he was given an opportunity, would manage the institution very well?

A. Yes, sir.

Q. Who seems to control the Doctor, do you know?

A. I think he controls the female department, but Dr. Thomas, the Assistant Superintendent, controls the male department; and if he recommends the discharge of an attendant in the male department, Dr. Galbraith will discharge him; but if anyone recommends to Dr. Galbraith the discharge of an attendant in the female department, Dr. Thomas smooths it over and prevents it. I think Dr. Galbraith, on account of his inexperience, depends on Dr. Thomas.

Q. Do you think Dr. Thomas has undisputed control of the male department?

A. He seems to have. Dr. Fletcher's idea of putting matrons on the wards was that he wanted refined, intelligent women. I wish you would investigate the class of matrons.

Q. Who has your place?

A. Miss Jones.

Q. Is she married?

A. I am told not; but she has a son 8 or 10 years old. They say they do not employ anyone but widows there.

Q. Does her son stay there?

A. He visits her there, time and again. Mr. Taylor, the artist, can tell you whether or not she is married. A lady there said to me: "Is Mrs. Jones a married woman?" I said, "I guess she is." She said: "She is not, and it is a pretty idea to have such a woman as that for matron."

Q. What do you know about a patient going there late in the afternoon, and dying the same day?

A. I know nothing but what I was told by an attendant.

Q. Is there anyone that does know of that, to your knowledge?

A. I can not say.

Q. How many of the attendants that were there when you went there, were discharged while you were there?

A. I do not know.

Q. What proportion?

A. I could not give an estimate, unless I could remember their names.

Q. How many miles do you live from here?

A. Four miles.

Mr. Henry :

Q. When did your son leave there?

A. I suppose about a year and a half ago.

Witness excused.

It was ordered by the Committee that the following statements and affidavits taken from the South Bend Tribune, of November 24th, 1888, be made a part of the record of testimony in this investigation :

Mrs. Keller's statement concerning her husband, 'Rene Keller.

" My husband, Cyrenus Keller, died on the 30th of September, 1887. I went to the Insane Asylum at Indianapolis on the 12th of that month to see him. Stayed with him two days. He was quite feeble at the time, so much so that he could not walk without assistance. I went to Indianapolis September 21st. He was in the Hospital, having been taken there the day before. I staid with him four days. At neither time that I visited him were the authorities of the Asylum aware of my coming and he was well taken care of, clean and comfortable. He was attended by a lady, Mrs. Kern, who did all in her power to comfort him. And as far as I could observe the best of care was taken of my husband, as well as other parties, and I could see no indications of neglect or ill treatment whatever."

MARY L. KELLER.

STATE OF INDIANA, }
MARION COUNTY, } ss:

George Hermann, on his oath, says that he is a resident of the city of Indianapolis, Marion County, State of Indiana; that he is engaged in the undertaking business, and has been so engaged for the last fifteen years, and that his place of business is at No. 26 South Delaware street, in the city of Indianapolis. He further says that he prepared for burial the body of "Rene" Keller, who died at the Hospital for the Insane for Indiana, and shipped the remains to South Bend, in the State of Indiana. He was personally present when the body was prepared. There were no bruises or marks of violence upon the body at that time, and further affiant sayeth not.

GEORGE HERMANN.

Sworn and subscribed before me, the undersigned, Notary Public, this 21st day of November, 1888.

J. L. BIELER,
Notary Public.

STATE OF INDIANA, }
ST. JOSEPH COUNTY, } ss:

Patrick Stoney, being duly sworn, deposeth and says that he was present at Indianapolis when the late Cyrenus Keller's body was prepared for burial; that there were no marks, bruises nor any signs of violence on or about his person.

PATRICK STONEY.

Subscribed and sworn to before me this 24th day of November, 1888.

STEPHEN D. STATCH,
Justice of the Peace.

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PATRICK STONEY.

Subscribed and sworn to before me this 24th day of November, 1888.

STEPHEN D. STATCH,

Justice of the Peace.

FRIDAY MORNING, MARCH 8, 1889, 11:30 o'clock.

Dr. T. S. Galbraith, being duly sworn, testified as follows:

Mr. Hays:

Q. State your name.

A. Thomas S. Galbraith.

Q. Your occupation.

A. Superintendent of the Hospital for the Insane.

Q. What was your occupation before you were elected Superintendent?

A. I was a practicing physician.

Q. Where?

A. In Seymour, Indiana, for 17 years.

Q. Were you a general practicing physician or did you have any specialty?

A. I was engaged for a long time in general practice, and for the last two years, the diseases of women.

Q. Have you made any specialty of the study of diseases of the brain?

A. Not particularly, more than connected with my practice.

Q. Had you had any special experience in the treatment of people mentally deranged, outside of your ordinary practice?

A. No, sir, I had never been engaged in hospital work before.

Q. Had you had any experience in the management of institutions of that character at all, or looking after a number of people collected together?

A. No, sir.

Q. You were totally inexperienced as far as the management of the hospital was concerned either as to the disease of the patients? Or as to the provisions and supplies?

A. Well, I would not like to say that I was totally inexperienced in regard to the treatment of the cases, because I was familiar with the diseases. I had not had charge of a hospital before.

Q. You had not been employed in a hospital, or had any experience in a large hospital?

A. No, sir.

Q. The only experience you had had, was what an ordinary country doctor, a general doctor, would have in his practice; is that correct?

A. I have the experience incident to my work as a practitioner for a number of years.

Q. Nothing special?

A. No, sir.

Q. Do you know something of the qualifications of Dr. Thomas?

A. Yes, sir.

Q. And as to his habits, and the performance of his duties?

A. Yes, sir.

Q. State whether his qualifications are sufficient for the place he occupies?

A. I think so.

Q. How does he perform his duties?

A. In an efficient manner, so far as I can ascertain.

Q. And as to his habits?

A. They are good, so far as I know; I have not heard of his being intoxicated at the hospital.

Q. Were you in a position to know of that if it took place?

A. I think so.

Q. It is your business to watch those matters?

A. Yes, sir.

Q. Do you know that he has ever been incapacitated for the performance of his duties by drinking?

A. No, sir; not that I know of; not to my knowledge.

Mr. Hays:

Q. Dr. Thomas was there when you went there?

A. Yes, sir.

Q. What department was he employed in when you went there?

A. In the department for men.

Q. What other physicians are employed in that department?

A. Dr. Ryer was his assistant for many months; he left in November, and since that time Dr. Wiles has been in that department.

Q. Does Dr. Thomas occupy any other position than as physician?

A. He has been employed as the Assistant Superintendent in the main, and has had general supervision of the department for men, and I have relied on him a great deal in that department.

Q. You have depended on him to aid you in that department?

A. Yes, sir.

Q. Have you not largely depended on him to run that department without your interference on account of his experience?

A. Yes, sir; I have depended on him a great deal.

Q. And you have given your attention more particularly to the female department?

A. Yes, sir.

Q. You would not require any detailed information as to the management of the male department, except as it came from Dr. Thomas?

A. His associate, the other physician, would report to me anything amiss in the management there.

Q. The assistant physician, however, would be under Dr. Thomas?

A. No, sir; not particularly.

Q. Does the assistant physician make any regular reports to you?

A. If anything requires my attention he reports it to me promptly—anything like abuses in the service.

Q. It would depend largely upon whether he saw fit to report anything to you, would it not?

A. I would consider him derelict in his duty if he did not.

Q. Was there any regular time when he made a report?

A. The officers of the day alternated; Dr. Thomas would act one day and would make a report, and the next day his associate would act and he would make a report; so I got a report every day.

Q. Dr. Thomas would act one day and his assistant the next?

A. Yes, sir.

Q. Are those reports preserved?

A. Yes, sir.

Q. Are the reports, made prior to your coming there, on file in your office?

A. I presume they are, they should be.

Q. Do you personally examine these reports every day?

A. Yes, sir; they are laid on my table and I inspect them.

Q. Do you make any inquiry, outside of these reports, as to whether they are reliable?

A. Yes, sir.

Q. In what way?

A. By going through the wards occasionally and conferring with the supervisor and attendants.

Q. Do the attendants have access to you to make any reports desired?

A. Yes, sir; any employe in the house has the right to make a report to the Superintendent.

Q. Are there any restrictions on that, morally or otherwise?

A. No, sir.

Q. You live in the building in which the female department is situated?

A. Yes, sir.

Q. And that is separate from the other building?

A. Yes, sir.

Q. How frequently do you visit the male department, for the purpose of inspection?

A. Sometimes three times, and sometimes only twice a week.

Q. Do you have a regular time?

A. No, sir; whenever I get time from my other duties.

Q. What time do you usually visit them; do you visit them at meal times?

A. Frequently at meal times; irregularly, however, I have no stated time. I frequently go in at meal time.

Q. You say you have never had any complaint of Dr. Thomas, at all, or heard of any?

A. There are more or less complaints every day, in all parts of the building. We will occasionally hear complaints.

Q. What has been the character of them, as far as Dr. Thomas was concerned?

A. There has been no direct complaint against Dr. Thomas, of any dereliction of duty.

Q. What is the character of these complaints you mentioned?

A. Sometimes there are complaints of abuses, that we have to investigate; of abuse of patients.

Q. I mean with reference to Dr. Thomas?

A. I have heard no complaints against Dr. Thomas.

Q. Have you had any complaints in regard to the character of the food furnished to patients?

A. No, sir; there was no specific complaint; there might be at some time from an officer of the day, that some line of food was not quite sufficient, and that would require my attention.

Q. Are these reports of the officers of the day, all, where the committee can have access to them, back through Dr. Fletcher's time?

A. I can not say about Dr. Fletcher's reports; but every one of mine are preserved; I think you have every one of my reports on your table.

Q. Are they filed in the offices of the physicians, or do you preserve them?

A. They are on my table.

Q. Do you know where Dr. Fletcher's reports are? Those made before you came there?

A. I have never seen one of them.

Q. Do you know if there are any of them in the institution?

A. I do not know; I have never seen any of them.

Q. Have you ever made an examination to see if there are any of them there?

A. They are not in the drawers where they ought to be.

Q. How frequently have you had complaints of the mistreatment of patients?

A. It does not occur very often.

Q. What was the character of the treatment complained of?

A. Sometimes there would be complaints of violence to the patients, of their being treated too rudely. We invariably investigated these complaints.

Q. Personally, or by the officers?

A. I generally directed the officers in charge to make these investigations, and if they did not make a satisfactory report, I investigated it myself.

Q. Do you know Mrs. Hyatt?

A. Yes sir; she was an attendant in the male department when I went there.

Q. How long did she remain after you went there?

A. I think she left last November.

Q. Do you know why she left?

A. Yes, sir.

Q. Why.

A. Dr. Thomas recommended her discharge for inefficiency.

Q. Was that the only charge against her?

A. Yes, sir.

Q. What time was she discharged?

A. I think early in November.

Q. Was it not the day after the election?

A. It may have been, I am not sure.

Q. Was there any politics in it?

A. I am not aware that there was any politics in it, whatever.

Q. Had you ever had any conversation with Mrs. Hyatt about the treatment of patients in her department?

A. It is possible that I had; I do not remember any specific conversation.

Q. Did she ever make any complaints?

A. Yes, sir; I talked with Dr. Thomas about the matter, and he thought her complaints were groundless; he had repeatedly investigated them, and found them groundless. He had a good deal of sympathy for the old lady, and bore with her complaints for a long time, continually, when he did not think there was anything in them: however, I prefer that you would examine him in relation to that matter.

Q. Who took Mrs. Hyatt's place?

A. Miss Eberhart, I believe, is the lady's name.

Q. Is there a Miss Jones there?

A. Yes, sir.

Q. Was she there before Mrs. Hyatt was discharged?

A. She has been there since my time of service commenced.

Q. Is she married?

A. I do not know.

Q. Is she called Miss or Mistress?

A. I think she is called Mistress; she is generally understood to be a widow; I do not know, personally.

Q. Did you ever investigate any of these complaints made by Mrs. Hyatt, personally, yourself?

A. No, sir.

Q. You are not aware, personally, whether the charges were groundless or well founded?

A. No, sir, I can not state of my own knowledge.

Q. Do you remember a patient by the name of Spencer, since you have been there?

A. I have no distinct recollection of the patient.

Q. Do you remember a patient by the name of Simms?

A. No, sir, I do not.

Q. Do you remember this man Keller, from South Bend? Did he die since you have been there?

A. I am not sure; I could not say; I cannot recollect the man.

Q. You do not remember whether his death occurred after you came there or before?

A. No, sir.

Q. Do you remember Dr. Clifton, from the city here?

A. I do not know such a man.

Q. He was a patient, I understand?

A. I have no recollection of such a patient.

Q. Do you remember Dr. Sample, from the city here?

A. Sample? Yes, sir.

Q. Did you ever hear any complaint about his treatment?

A. No, sir; I never did.

Q. Do you know whether he died at the Hospital or not?

A. I am inclined to think he did, but I am not positive.

Q. Now, Doctor, in regard to the issuing of supplies from day to day: did that come under your personal supervision, or was it left to the heads of the different departments?

A. It was left almost exclusively to the heads of the departments.

Q. And the amounts ordered from time to time were ordered by the cooks?

A. Yes, sir; as a rule they were ordered invariably by the cooks and heads of departments. In the officers' department, Mrs. Thomas, as housekeeper, would order for her department very frequently.

Q. Did you give any specific directions to these heads of departments, or cooks, as to how much to order?

A. Only in a general way; to order enough to supply the patients. No, sir; I did not give any specific order.

Q. As I understand you, you gave general authority to order whatever was sufficient to supply the patients?

A. Yes, sir.

Q. You gave the Storekeeper authority to issue whatever was ordered?

A. Yes, sir.

Q. There was no limitation from you on that subject?

A. No, sir, there was none.

Q. Whatever was called for was authorized to be called for; and whatever was called for was authorized to be furnished?

A. I depended on the heads of departments to attend to that work.

Q. Did you make any investigation to see whether they were abusing this authority?

A. I did, in a general way. I do not think I had any grounds to think there was any abuse of the authority.

Q. Did you make an investigation from month to month?

A. No.

Q. Did you make an investigation of the Storekeeper's accounts to see whether things were ordered as they ought to be?

A. I was at the storeroom frequently, and from the information I was given there, I was satisfied there was nothing wrong; I did not make any special inquiry.

Q. Is it not true that you did not give any personal supervision to the matter of supplies at all?

A. Well, I did give it some supervision; I frequently looked in the storehouse and saw that the supplies were as they ought to be.

Q. That would not accomplish anything, just to look in hurriedly. I mean, to determine what was received and issued?

A. I never investigated from day to day to see what was issued.

Q. Was it not an understanding that you were not to interfere with the established regime of running the Institution, and that your superintendency should only refer to the medical department, and that the supplies were to be controlled by the Trustees and the Storekeeper?

A. That was naturally the case.

Q. You did not give any special personal supervision to that matter?

A. I preferred to be relieved of the responsibility of that department.

Q. And you left it almost entirely to the Trustees and the Storekeeper?

A. Yes, sir.

Q. And if it was abused you considered it beyond your ability to protect it?

A. If I knew of any abuses I would have considered it my duty to have corrected them.

Q. If it came to your knowledge; but it is not very likely that it would come to your knowledge unless it was excessive, was it?

A. I would have investigated any excessive waste.

Q. Do you not suppose there could have been an excessive use to the amount of five hundred or a thousand dollars without attracting your attention?

A. I do not think there could to that amount.

Q. Why?

A. Because it would have been such an excess that it would have attracted attention.

Q. Was there not that particular increase in one particular month?

A. I was not aware of it.

Q. Was not the excess in the amount of produce over one thousand dollars a month, gradually running up from fifteen hundred dollars until it reached twenty-eight hundred dollars, (\$2,800.00), a month?

A. When I look over the records of the expenses of different years, I see only a little difference.

Q. You said if there had been an increase in the expenditures, five hundred or a thousand dollars a month, it would have attracted your attention; if there was an increase in the produce until it reached over one thousand dollars a month without attracting your attention, might that not have been distributed out in the various other articles without attracting your attention?

A. I was not aware of any excesses in the institution.

Q. It never attracted your attention, if there was; and you never investigated it?

A. No sir.

Q. Did you take any precautions yourself, to see whether the goods called for at the store, from day to day, were actually delivered to the kitchens, and consumed there, put on the tables?

A. No sir, I had no reason to doubt anything of that kind.

Q. What was there, to your knowledge, to prevent the persons who procured the goods for the kitchen, going to the storeroom and getting them and taking them away, off the grounds, or out of the Hospital premises, without delivering them to the kitchens?

A. I do not think that is possible.

Q. It would depend on whether or not some one saw them, would it not?

A. They were generally taken around by the Storehouse driver.

Q. Generally; but that was not always the case, was it?

A. Not always; no.

Q. I will ask you what rules or provisions are adopted to prevent immorality among the employes and persons connected with the Institution ?

A. The rules are very strict against male attendants entering at any time, or under any circumstances, the rooms of the female attendants; and for social intercourse the employes meet in the chapel of either building, from the time after duty until 9 o'clock.

Q. Are these regulations enforced, or are they simply matters of no importance ?

A. They are strictly enforced.

Q. Have you had any cases of female employes becoming pregnant since you came there ?

A. There was one instance, referred to by a former witness. It is alleged I did not investigate it; I will explain: The case was not brought to my attention until she was far gone in her pregnancy. She had been under Dr. Stockton's treatment, and her condition was not reported to me until that time. I directed her to be removed at once to a hospital here in the city, which was done; and, as the conception had taken place before I came to the Hospital, and the man in the case had left the service, I did not consider that there was anything to investigate in the case; therefore, I did not investigate it.

Q. How long had she been employed there ?

A. For some years, I understand, before I came there.

Q. The occurrence had taken place before you came ?

A. Yes, sir.

Q. You did not investigate to see whether she had become pregnant under the former management ?

A. It naturally would have occurred before I went there. It was the 1st of February when it came to my knowledge; and she was just on the eve of confinement.

Q. You did not investigate to find out whether any of the officers or attendants were responsible for her condition ?

A. No, sir.

Q. You wanted to be asked in regard to the girl mentioned by Dr. Howard ?

A. I think it is only justice to that lady that this explanation should be made. She is the most self-respecting and conscientious young woman we have in the service, and the least insinuation that there was any impropriety in her conduct I

think is infamous, because there was not any, and any alleged impropriety that occurred was without foundation, to the best of my knowledge. Dr. Howard's position toward Mr. Kyte was based on an entirely different cause.

Q. What was it?

A. About the time of the tally-sheet trials, when the tally-sheet jury was out, Dr. Howard took the liberty to come into my office and make inquiry regarding the tally-sheet jury. Mr. Kyte objected to his using the telephone for that purpose. The Doctor took offense and pursued him from that time on. I think that caused his position toward Mr. Kyte instead of any supposed circumstances about the young lady.

Q. You wanted to be asked about Miss Hazard?

A. Yes. I understand I was accused of employing an attendant who was discharged for cruelty. I desire to say that that was the record, that the lady was discharged for supposed cruelty; but on more thorough investigation I found there was some justification. It was in self-defense, but there was no injury done to the patient; and as the young lady was a very efficient and experienced attendant I reconsidered the matter and gave her employment. She has since then been doing service in another hospital, and satisfactorily, as I understand it. I re-employed her, and Dr. Howard caused Mr. Gapen to demand her dismissal, which I did.

Q. Do you want to be asked about Mr. Gapen's visits to the Hospital?

A. Only to say that on his visits to the Hospital he invariably calls on Dr. Stockton and ignores me.

Senator Howard here suggested that the Doctor make any statement he might desire.

A. I have no definite statement to make, only to give the result of the work of our Hospital as compared with other institutions, which shows that we have as low a per capita rate of expense as any other hospital in America, and I think that ought to go a great ways toward contradicting the charges of extravagance; and I would further ask, as there are charges of something wrong in our kitchen department and store-room department, that our cooks be summoned and closely questioned as to what they do with the food issued to them. If there is anything wrong, I only ask to know what it is; I have been unable to find it.

Q. Are you aware that milk was not furnished to this department of which this lady—Mrs. Hyatt—was in charge?

A. Milk is furnished there; there is no question about that.

Q. Did you know it, or not know it?

A. I know it was used there. It is issued to the special not to the general table. It is not a part of the general diet; it is a special diet. Buttermilk is given as a general diet, but not sweet milk.

Mr. Brown :

Q. You spoke of Mr. Gapen going to Dr. Stockton; in what connection?

A. Nothing at all, only a showing of preference; a disposition to get his information from subordinates, instead of coming to the Superintendent.

Q. Is there a very pleasant feeling between yourself and Dr. Stockton?

A. Yes, sir.

Q. Have you refused at any time to hear complaints from your subordinates, unless they would make them in writing?

A. No, sir; that is a rule, however, but I have been willing to hear complaints in any form.

Q. Do you demand, when they come to you, that they prefer their charges in writing?

A. No, sir, not as a rule.

Q. Do you hear them willingly without their being in writing, and investigate them?

A. That is my rule. I may require them to be put in writing if they are of sufficient importance; but, as a rule, I take them verbatim and make investigation upon a simple verbal statement.

Mr. Henry :

Q. Why was this lady, Mrs. Hyatt, discharged from the institution?

A. Dr. Thomas requested it on account of her inefficiency.

Q. Did she come to you with any complaints about cruelty to patients there?

A. She did, after her discharge.

Q. Did she before her discharge?

A. Not to my knowledge.

Mr. Conn :

Q. You have made a request that we summon the heads of the cooking departments here: what do you expect to show from their testimony?

A. I want them to explain the consumption of butter and eggs, that has been thought excessive.

Q. How do you expect to show it?

A. By their estimates of the amounts used from day to day in the various departments.

Q. Would their books show that?

A. I do not know whether their books would show it or not, but I think they can tell.

Q. Can they remember, from month to month, how much coffee, butter and tea they have received?

A. It may be that they can not, but I think they can give you a better idea of it than I can.

Q. We will be glad to summon any witnesses desirable, but it would be impossible for them to testify to the amount of provisions issued to them, unless they have some written evidence of the fact.

A. I think they would be the most reliable persons to do it. Witness excused.

FRIDAY AFTERNOON, March 8, 1889.

Dr. Galbraith was then placed on the stand and, after being sworn, testified as follows:

Q. State your name?

A. Thomas Galbraith.

Q. Your business?

A. I am a physician.

Q. Where are you now engaged?

A. I am Superintendent at the Insane Hospital, this city.

Q. At what time did you enter that institution?

A. September 8, 1888.

Q. Where was your place of residence prior to that time?

A. Seymour, Indiana.

Q. Through whose influence was you appointed to the position?

A. I was notified that there would probably be a change, and that I could have the place if I desired it.

- Q. Who apprised you of that fact?
- A. Dr. Howard was one of the gentlemen that wrote me.
- Q. How long were you in the office?
- A. Perhaps three months.
- Q. Who next spoke to you about it?
- A. One of the physicians at the Hospital.
- Q. Who was that?
- A. Dr. Wiles.
- Q. How long was that before?
- A. I don't remember exactly.
- Q. Who did you inform that you would accept the place?
- A. Mr. Burrell.
- Q. How long was that before you was elected?
- A. It was nearly three month.
- Q. Did you go to see Burrell about it?
- A. No, sir, I met him in a hotel.
- Q. Did you meet him there by appointment?
- A. No, sir, I simply met him there and told what I had heard.
- Q. You had no business relation with him?
- A. No, sir.
- Q. Was you acquainted with the Board?
- A. Yes, I knew them.
- Q. How long have you known Dr. Harrison?
- A. I have known him since 1883 or 1884, about the time that Dr. Fletcher took charge of the hospital.
- Q. How frequently did you meet him?
- A. Not often.
- Q. Were you acquainted with Gapen?
- A. I had met him about the same time.
- Q. Where did you meet him?
- A. I think that I met him at the Bates House.
- Q. When was that?
- A. I can not say; I made application for the position in 1883 and then declined to accept on account of the delay, and that was how we became acquainted.
- Q. Upon whose recommendation was your name now placed before the Board?
- A. I am unable to say; I never made any canvass for the position.
- Q. Was it not by Mr. Burrell?

A. I am not aware that he advocated me as a candidate.

Q. I believe you said that you had no conversation with them until after you were elected?

A. I met Gapen prior to my last appointment.

Q. Where did you meet him?

A. At the Bates House.

Q. What was the conversation there?

A. He said that there would probably be a change in the Hospital and asked me if I would accept the place.

Q. About what time was that?

A. I think that it was before the Board met in January, when it was expected that a change would occur the next time.

Q. Did you then come to Indianapolis upon this business?

A. I was here on other business.

Q. Was that part of the business?

A. It might have been.

Q. Then did you meet Gapen after that?

A. No, sir; I think not.

Q. Have you had frequent communication with him?

A. I don't think that I ever wrote him a letter in my life.

Q. Was you acquainted with Mr. Hall?

A. I made his acquaintance about the same time.

Q. You was appointed once before and did not serve?

A. Yes, sir.

Q. Did you decline to accept the position of Superintendent?

A. No, sir; the assistant physician.

Q. You may tell what your duties are as Superintendent.

A. I don't think that I can go into the details, as they are many.

Q. Do you mean to say that you brought no political influence to bear to bring about your appointment?

A. Yes, sir; I did not seek the position and was not a candidate.

Q. I simply want to understand that you did not dabble in political things to get it.

A. No, sir.

Q. Would you show any political obligations in the discharge of your duties?

A. No, sir; I think that my only promise was to appoint Dr. Howard as assistant physician; the board asked me to do that before my election.

- Q. In what way and how did they make that request?
- A. They just stated that they felt under obligation to him.
- Q. In what way? Personally?
- A. Yes, sir.
- Q. Was that made before or after election?
- A. Before.
- Q. How long before?
- A. It might have been two or three months.
- Q. Where at?
- A. I was informed of that at Seymour.
- Q. Did they discuss the matter with you?
- A. There was not much discussion.
- Q. Where at?
- A. At the hotel.
- Q. He named to you that one of the conditions of your election was that you were to appoint Dr. Howard?
- A. Yes, sir.
- Q. It was a condition?
- A. Yes, sir.
- Q. You agreed to do that?
- A. Yes, sir.
- Q. Did you know anything about Howard as to his qualifications?
- A. No, sir.
- Q. Still you were willing to appoint him without knowing anything about his qualifications, and go into an obligation?
- A. He told me that he was a good physician.
- Q. Did you make that appointment without any personal knowledge?
- A. Yes, sir.
- Q. Were any other promises?
- A. No, sir.
- Q. Made no requirements as to the discharge of attendants?
- A. No, sir.
- Q. Did you make any promises to discharge any officers?
- A. I did not make any absolute promises that I would not.
- Q. I was advised that it would not be acceptable to make changes?
- Q. State who gave you to understand that?
- A. My conversation was with Burrell.
- Q. He said that there was to be no revolution in the officers of the Hospital?

A. Yes, sir.

Q. In what part of the Hospital?

A. Nothing specified.

Q. Even if found necessary?

A. I understood that I was not to turn anybody out.

Q. Don't you mean by this that you were not to interfere with their business?

A. No, sir.

Q. What was the understanding about the employes?

A. It meant the heads of the departments.

Q. Was there any understanding as to the employes?

A. No, sir.

Q. You say that the condition of your election was that you were not to make any revolution in the Hospital?

A. That is about the amount of it.

Q. Do you say that if you found that the general management of the institution in regard to the supplies was bad that you were not to attempt to correct it?

A. No, sir, I don't intend it that way.

Q. Give your understanding of it.

A. My understanding was that I was not to make a wholesale discharge.

Q. Do you think that it was necessary to make that as a precedent at your election?

A. No, sir.

Q. What was the necessity for, then?

A. Simply as an understanding as to the course to be pursued in the Hospital.

Q. There was no conference between you and the Board prior to your election that you were to do certain things?

A. I have answered all that.

Q. You say that you had an agreement with Burrell?

A. Yes, sir.

Q. He was the representative of the Board?

A. Yes, sir.

Q. He represented all of the members?

A. Yes, sir.

Q. You state that nobody used influence to get you the position?

A. I am not aware of it.

Q. Have you the right to discharge employes?

A. Yes, sir; if there is cause for it.

Q. In reference to the food that is part of your duties?

A. I am expected to see that the patients are well supplied with food.

Q. You have general supervision over all the Institution?

A. Yes, sir.

Q. Are you in consultation with the Board?

A. At the monthly meeting we canvass the matter.

Q. Since entering upon the discharge of your duty has there been any great amount of employes discharged?

A. No, sir.

Q. Any more than there was under Dr. Fletcher?

A. No, sir; I think not.

Q. Have you made any changes in the amount and kind of food used in the Institution?

A. Yes, sir; we have increased the diet.

Q. When did you make this change?

A. The next summer after I was there.

Q. What was this increase?

A. Well, we increased the milk.

Q. Was there any other increase?

A. I think not.

Q. At what time in the summer did you increase the milk?

A. I can not tell; it was in the summer.

Q. Who was it that made that increase?

A. I think possibly that I asked the Board to do so.

Q. What was the increase of diet?

A. The general increase was not till the last of September.

Q. Was that an annual increase or was it just this time?

A. It was continued.

Q. What was the necessity for the increase?

A. We want to feed the patients a more nutritious diet.

Q. Then you had not been feeding them enough the years before?

A; No, sir, I don't say that our desire was that the patients should be well fed.

Q. I would like to know in what per cent that increase was made?

A. I made no per cent.

Q. How much of an increase was made?

A. I am not able to say what it amounted to.

Q. How would you know that an increase was made?

A. My list would show that.

Q. Have you that list?

A. I think that I have.

Q. You are satisfied that you have made an increase?

A. I am satisfied.

Q. Was that necessary?

A. I thought so or I would not have made it.

Q. Then if it was necessary then you were not feeding them enough before?

A. I don't think that they were fed properly.

Q. Were they suffering for food before?

A. No, sir.

Q. Can you tell to what extent the diet was increased?

A. No, sir, I am not able to tell all the diet.

Q. Do you remember about teas?

A. They were all the same.

Q. Was the butter?

A. I think that butter was increased some.

Q. Was there an increase of eggs?

A. That would be part of the nutritious food.

Q. Eggs were issued very frequently?

A. Yes, sir.

Q. Was that the usual custom?

A. I am not able to say.

Q. Was it once a week?

A. I am not able to say.

Q. Can you tell whether or not they were issued once or twice a month?

A. I am not able to say.

Q. You can not tell whether there was an increase in the inmates in the fall of '88 over that of '87?

A. I don't think that there was; there might have been some.

Q. I would like for you to explain why there was so much difference in the amount of food issued, such as butter in the fall of 1888 over that of 1887?

A. I believe it was used in the extra cooking; that it was required.

Q. You speak of extra dishes; would that be all that it was needed for?

A. I left it to the cook what would be needed.

Q. State what dishes that are now given that were not given then?

A. I submit the bill of fare.

Q. You don't recollect what dishes were given at the Hospital?

A. I do not.

Q. You said that there was an increase of diet?

A. Yes, sir.

Q. You don't recollect the number of dishes that you give now that you did not give then?

A. I don't know, but would give more of same kind.

Q. No more dishes?

A. No, sir.

Q. You were trying to fill them up?

A. Yes, sir; I believe that the better they are fed the better they do.

Q. When did you discover that fact?

A. Soon after I came there.

Q. When did you advise it?

A. As soon as summer came.

Q. Who makes out the estimate of the food needed?

A. The cooks, and it is submitted to me for approval.

Q. How much have you increased your requisition over that of two years ago?

A. I can not say.

Q. Does it not show in your monthly reports?

A. I do not go into the kitchens and tell them what to cook.

Q. It might be well if you did. Was that not the proper way to do?

A. Possibly that would be a better way.

Q. How much do you say that the rations issued in 1888 was in excess of 1887.

A. I don't remember, but there was a few more.

Q. I think that you stated that there was 40 or 50 more?

A. Well, possibly there was.

Q. Your requisition shows that there was 1,513 in 1887 and 1,526 in 1888?

A. That is the daily average.

Q. That is not what it says; it says the daily average was 1,586.

A. Yes, sir; there was some patients on furlough.

Q. What has been the average on furlough during the last year?

A. I don't know, probably about 80.

Q. You say that the supplies for the Hospital have been abundant in quantity and excellent in quality. Do you stand by that statement in the face of the fact that you said that they needed more food?

A. Yes, sir.

Q. If it was abundant in quality they would not need any more, and if it was an abundance that was enough?

A. Yes, sir.

Q. Would we need any more than abundance?

A. No, sir.

Q. Now, when you made this increase, did you make it by the pile alone?

A. The only estimate that I make is when the patient has enough to eat.

Q. Don't you make any calculation as to how much they need?

A. No, sir; I don't spend time in that way.

Q. How do you determine when a patient has enough to eat?

A. We put it on the table, and they get it.

Q. Don't they individually regulate that matter?

A. Yes, sir.

Q. Do you think that patients have more sense than soldiers?

A. What does for soldiers does not do for insane people.

Q. How can you tell from the amount of goods received whether or not they are enough to supply the patients.

A. We have the experience that tells us that.

Q. You have no way of telling how much food ought to be used except from the amount that is consumed?

A. That is about the way I had it.

Q. If there was 10,000 pounds of coffee consumed in one month you would order that much?

A. No, sir, I would consider it excessive.

Q. Do you govern the institution on the common sense principle?

A. I endeavor to do it that way.

Q. Do you keep an estimate of the amount that ought to be used?

A. We get that from experience.

Q. Where would you go to find out?

A. I would see that we were giving too much and would reduce it.

Q. Would you send out as much for a ward that had thirty persons in it as you would one that had twenty in it?

A. I would approximate that.

Q. But you don't do it?

A. No, sir, I leave that to the subordinates.

Q. Do you not leave everything to subordinates?

A. Except the general supervision I do.

Q. Are you governed by the wants of the patients or their needs?

A. Both.

Q. I think that you stated that you were governed all together by the wants of the patients?

A. We aim to satisfy them.

Q. And always supply their needs?

A. Yes, sir.

Q. If you don't make any estimate you can not tell whether it is used or wasted?

A. I inspect the kitchen often enough to know that.

Q. But you depend on the assistants?

A. Yes, sir.

Q. I believe you stated that there was no increase of butter except that which was used in the cooking?

A. I don't think that there is.

Q. What proportion is used in cooking and what on the table?

A. I don't know.

Q. Suppose there were 4,000 pounds of butter used in one month and 6,000 in the corresponding month, would that be a pretty heavy increase?

A. Yes, sir, I think that would be an increase.

Q. Did you know that butter was increased?

A. Yes, sir.

Q. Did you know that it was increased to that extent?

A. I paid no attention to the increase.

Q. Did you ever know that there was that much butter brought there? Might not that much not have been used?

A. No, sir.

Q. You judged from the supply on the table?

A. Yes, sir.

Q. If there had been that much of an increase in the two months you would not have noticed it and made some inquiry about it?

A. I don't know.

Q. Is it possible to use that amount on the tables?

A. I think that amount was used.

Q. Were they crying for butter all the time?

A. No, sir.

Q. Are you acquainted with Sullivan?

A. Yes, sir.

Q. Where did you get acquainted with him?

A. He was at the Hospital frequently.

Q. Did you have business with him prior to your going in-
to the Hospital.

A. No, sir.

Q. What goods did he furnish to the Hospital?

A. Furnished butter, eggs and poultry.

Q. What was the quality of the goods furnished?

A. I think that they were an average.

Q. Did you know that he was very intimate with the Board?

A. Yes, sir.

Q. Did you know that Gapen was clerking in his store?

A. Yes, sir.

Q. Was there any complaint as to the butter that was fur-
nished?

A. No, sir, not that I know of.

Q. Was there any complaint as to the poultry?

A. Yes, there was some rejected.

Q. Any complaint as to eggs?

A. Not much.

Q. What did you do when the goods were bad, send them
back?

A. No, sir; I would ask the storekeeper to be very careful about them.

Q. Did you ever send any back?

A. I am not sure as to that.

Q. I find in your statement that the eggs are reported as bad. Is that true?

A. Yes, sir; I made that statement.

Q. I believe that the eggs were furnished by Sullivan?

A. Yes, sir.

Q. You also state in your report for the month of December that the subsistence was fairly good, notwithstanding that you had to reject those eggs; do you stand by that statement?

A. Yes, sir.

Q. How did you find out that so many of them were bad?

A. I would hear complaints from the kitchen.

Q. Why did you not send them back?

A. I instructed the Storekeeper to be very careful.

Q. You loaned Sullivan money?

A. Yes, sir.

Q. When was that?

A. I think it was in December.

Q. How much?

A. \$1,000.

Q. I think that you said that the Hospital was indebted to him?

A. Yes, sir; for produce.

Q. How many times did you accommodate him?

A. Two times.

Q. When was the other time?

A. In September last.

Q. Out of what funds did you pay him out of?

A. The contingent fund.

Q. You say that you loaned this at the President's suggestion?

A. Yes, sir.

Q. Did anybody else suggest it?

A. No, sir.

Q. Did Gapen say anything?

A. No, sir.

Q. What security did he give you?

A. None.

Q. You took no security?

A. I took one for the first amount.

Q. Did you take his note?

A. No, sir.

Q. Did you have an order ?

A. No, sir.

Q. Did you have any obligation ?

A. A check was drawn payable to bearer.

Q. What did you do with it ?

A. I gave it to Harrison.

Q. Did you loan Harrison anything ?

A. No, sir, I gave him the check.

Q. Where was Sullivan ?

A. I did not see him.

Q. The money was to go to Sullivan ?

A. Yes, sir.

Q. Did anybody have anything to do with that loan except Harrison ?

A. No, sir.

Q. Was there any security given in the last loan ?

A. Sullivan asked me for an advance of \$1,000 until he could get the money from Harrison, and I gave him my check for it out of the contingent fund, and he gave his check to be paid when his money was drawn from Harrison.

Q. His bank check signed by him ?

A. Yes, sir.

Q. On what bank ?

A. The Meridian Bank.

Q. Did you have any money on deposit there ?

A. Yes, sir.

Q. Did Gapen have anything to do with that check ?

A. No, sir.

Q. Did you have any trouble in getting your money back ?

A. No, sir.

Q. How long was it till you got it ?

A. It was paid at the next pay day.

Q. What interest did you receive ?

A. None.

Q. No compensation ?

A. None, whatever.

Q. Did the hospital owe Sullivan anything at that time ?

A. Yes, sir, about \$1,800.

Q. What part of December was the first loan made ?

A. I am unable to say.

Q. Have you got the check stub with you ?

A. No, sir.

Q. Where did you keep your money?

A. At the Meridian Bank.

Q. The December loan was paid back in February?

A. Yes, sir.

Q. That was nearly two months?

A. Yes, sir; I don't remember exactly, it was delayed a little.

Q. You stated that at the time the hospital owed him money; do you know how much it was?

A. No, sir.

Q. Was he not paid promptly for the goods?

A. Yes, sir.

Q. Did you know that they owed him?

A. Dr. Harrison said so.

Q. Don't they make out the bills at the 4th of the month?

A. Yes, sir.

Q. The bills had not then been made out?

A. They had not been passed on.

Q. You did not know how much goods he had furnished?

A. No, sir.

Q. You knew nothing except what Harrison had told you?

A. No, sir.

Q. When that bill came he was paid and you were not, and had to wait?

A. Yes, sir.

Q. You did not report that amount as being in the contingent fund, did you?

A. That amount did not belong to the fund.

Q. You make a statement of the condition of that fund every month?

A. Yes, sir.

Q. Now did you, in January, make a statement that that amount was in the fund?

A. I reported it as a contingent expenditure.

Q. Don't you report the amount of contingent fund remaining on hands at the end of the months?

A. Yes, sir.

Q. When you made this report did you report this amount of \$1,000? Did you report that as loaned to Sullivan?

A. No, sir.

Q. I ask you if you deducted this amount?

A. I don't think that I did.

Q. When you loaned that money to Sullivan in September do you know what part it was?

A. No, sir; I think it was in the fore part.

Q. And it was paid back on the 29th of October?

A. Yes, sir.

Q. Was there any security that time?

A. I had Sullivan's check.

Q. Did you present it at the bank?

A. I presented it at the next allowance.

Q. When the allowance was made was the money there?

A. It was paid.

Q. Was any arrangement made with Gapen and Harrison?

A. They knew nothing about it.

Q. Did not Gapen know something about it?

A. No, sir.

Q. Have any trouble in getting your money?

A. No, sir.

Q. Got it a little later than you expected?

A. Yes, it was delayed a little.

Q. What is this contingent fund for?

A. When employes are discharged I pay them out of it.

Q. Is it not a matter of fact that you reported for the month of December \$1,000 that you did not have?

A. No, sir; that was a different fund.

Q. Did you make any inquiry as to why Dr. Fletcher was to be removed?

A. No, sir; no more than they announced that his time had expired.

Q. Did you know Dr. Fletcher personally?

A. Yes, sir.

Q. How long have you been acquainted with him?

A. Four or five years.

Q. You knew that he was an efficient man in the place?

A. Yes, sir.

Q. You knew that he had been highly endorsed by the investigation two years ago?

A. Yes, sir.

Q. Did you hear of any objection to Dr. Fletcher?

A. I was informed that they intended to make a change.

Q. Did you make any inquiry whether or not there was any conversation between Dr. Fletcher and the Board?

A. No, sir, I did not go into the matter.

Q. You received your monthly pay roll from Mr. Gapen each month?

A. Yes, sir.

Q. Did you receive it in the form of a check?

A. Yes, sir.

Q. Was that deposited in the bank at the time?

A. Yes, sir.

Q. How did you pay the money out?

A. I paid it out in checks.

Q. What are your rules as to the bathing of patients?

A. The patients are bathed once a week.

Q. Are they allowed to bathe themselves?

A. No, sir, attendants are required to bathe them.

Q. What protection is there against their turning the water on themselves?

A. We have removable cock keys that are removed after the water is turned on.

Q. Was there any exception to the rule?

A. None in the new building.

Q. You report a man as scalded to death, who was to blame for that?

A. It was investigated by the Coroner, and the attendant said that he was bathing the patient and he turned around to get a towel and the patient turned the water on and scalded himself; there was no one present at the time except the attendant.

Q. Does not the faucet turn right down in the tub?

A. Yes, sir.

Q. Close to the bottom of the tub?

A. Yes, sir.

Q. Do you understand how a patient could turn that faucet and throw water on himself?

A. He seems to have thrown it on with his hands.

Q. Was the attendant discharged?

A. Yes, sir.

Q. You say in your report that you refused to discharge Mr. Kyte at the request of the Board; do you know why Mr. Harrison did not want him discharged?

A. There was no cause why he should be discharged.

Q. Did Harrison give you any reason why he should not be discharged?

A. No, sir.

Q. Has Mr. Kyte been discharged?

A. Yes, sir.

Q. When was that?

A. In July. The matter was pressed so by Gapen and Howard that I was obliged to discharge him.

Q. This man Howard gave pretty close attention to business out there?

A. As much as possible.

Q. Do you know, or have you any reason to believe, that he had any connection with Sullivan?

A. I have none.

Q. Do you state that he was entirely competent to discharge the duties there?

A. I think that he was a competent man.

Q. You have no ground to suspect that Howard has been in complicity with Sullivan in regard to the goods sent out there?

A. None whatever.

Q. Do you think one pound and ten ounces was enough coffee for thirty-two persons?

A. I never made any estimate.

Q. What is your impression?

A. I am not able to state.

Q. Would you have any knowledge as to whether five pounds would be sufficient?

A. I can not say.

Q. You have no idea as to the amount of tea that would be required?

A. No accurate estimate.

Q. You would know that a pound would be too much?

A. Yes, sir.

Q. Do you remember that the question was asked you how many persons ate at that table, and you made the statement that there were thirty-two?

A. I don't remember making that statement.

Q. You may state how many there were?

A. I think there were thirty-five. There was a great deal carried to the wards.

Q. How often would that occur?

A. Several times a week.

Q. What do you mean by delicacy?

A. Such things as jellies, etc.

Q. Do you have jelly?

A. The sick do.

Q. Do you know how much provisions are drawn for your table?

A. No, sir.

By Mr. Brown:

Q. Do you remember me asking you about the number of persons that eat at your table, and that you said it was fourteen, and, turning to Mr. Heeb, asked him, and he said that it was seventeen?

A. I understood your question to mean officers.

Q. How many officers do eat at your table?

A. I can tell by looking at the list. (Names: Three physicians, three ushers, two clerks, three supervisors, one druggist, two heads of the departments, three night watches. Total, seventeen).

Q. How many cooks and waiters have you in your dining-room?

A. We have one in the dining room and two in the officers department; besides the two cooks in the kitchen there are two helpers and one in the two dining-rooms.

Q. What are the average discharged employes per month?

A. I don't know.

Q. Have you discharged less than five persons a month?

A. I am not able to say.

Q. Did you not discharge twenty-six the first month that you were there?

A. I am not able to say.

Q. Did you not employ 26?

A. I am not able to say.

Q. When did you go there?

A. September, 1887.

Q. So that your first report was the October report?

A. Yes, sir.

The witness was excused.

FRIDAY AFTERNOON, March 8, 1889.

By Mr. Howard :

Dr. Thomas being duly sworn, testified as follows :

Q. State your name?

A. A. J. Thomas.

Q. What is your business?

A. I am assistant physician at the Hospital.

Q. How long have you been employed there?

A. Nearly ten years.

Q. What part of the Institution have you charge of?

A. One half of the male department.

Q. Who has the other half?

A. Dr. Wiles.

Q. What matters have you charge of?

A. I have charge of the medical treatment of the patients, and see that no disorder takes place and report the same to the Superintendent.

Q. How often do you make this report?

A. Every other morning.

Q. Have you charge of the examining of the food?

A. Not until it comes upon the table.

Q. How often do you examine it?

A. Every few days.

Q. How is the quality of the food?

A. I have always found it good, except in a few instances.

Q. What is the usual drink for meals?

A. I have seen coffee and milk on the tables.

Q. What was the usual drink for dinner?

A. It was usually water.

Q. Was milk ever used at dinner?

A. I have seen it on the table.

Q. Are these departments divided as to disease or for mere convenience?

A. They are separated according to their disease as near as possible.

Q. How long has Mr. Wiles been there?

A. Three years, I think.

Q. Is there a separate table for the patients?

A. Yes, but it is right in the same dining room.

Q. Is that table different in any way from the others?

A. I think not.

Q. Is there usually milk at that table?

A. Yes, sir.

Q. You have seen the bill of fare that is reported by the Superintendent; is that the bill of fare that is usually followed at the Hospital?

A. That is the general fare of the dining room.

Q. You don't want to say that they have all the certain things named?

A. I can not say as to that.

Q. Do you think that this bill of fare is served on the general table?

A. I can not say that it is every day.

Q. At different times you seen these things on the table?

A. Yes, sir.

Q. What do you mean as to the special diet?

A. That is a diet for the sick.

Q. Has there been any complaint in the last two years as to the quantity and quality of the food?

A. I have heard none.

Q. Have you ever recommended an increase of diet in your department?

A. Sometimes there was a scarcity of meat. I would say to the Superintendent that there was complaint against the meat and that it ought to be increased.

Q. That would be the only cause of complaint, and that against a certain article?

A. Yes, sir.

Q. Did you notice this increase on the tables?

A. I did not examine it.

Q. Has there been any increase that you did notice?

A. I think that they had more beefsteak.

Q. Before that change was made was there any deficiency in the food?

A. Not that I noticed; I sometimes objected that the variety was not sufficient.

Q. Did you make any complaint to the Superintendent?

A. No, sir.

Q. I understand that the bill of fare is fixed by the Superintendent?

A. Yes, sir.

Q. I suppose the treatment of the disease is as much by the food as by medicine?

A. Yes, sir. I don't use \$100 worth of medicine in a year.

Q. Was it the duty of the Superintendent to treat the patients or yours?

A. It was my business and he was always ready to consult with me.

Q. Is the treatment the one that has been agreed on by the faculty or by one man?

A. By the faculty.

Q. Are these rations issued on a basis, or are they arrived at by the cook and the storekeeper?

A. I believe that they base their requisitions on the forms that are given in that book.

Q. Do you know whether or not they do?

A. No, sir.

Q. Now, since Dr. Galbraith has been Superintendent, has there been any change in the quantity and quality of the food issued?

A. I can not tell after the food has been cooked.

Q. Has there been any complaint?

A. None, except in the cases that I mentioned.

Q. How as to the butter?

A. It was generally good, but we have had some bad.

Q. Do you know as to the supply?

A. There appeared to be sufficient.

Q. How often was butter served?

A. I think it was twice a day.

Q. Did you notice the character of the eggs used?

A. Only when they came to my own table. Never tasted any in the dining room.

Q. How were the eggs usually served?

A. Boiled and fried.

Q. Did you ever hear of any complaint of them?

A. I think not.

Q. In these daily reports have you had any complaints?

A. Yes, sir; some individual would complain that his meat or something was not right.

Q. These complaints come from attendants?

A. From both attendants and patients.

Q. What do you do in the case of the patient?

A. I go and have a private conversation with him, and call three or four other patients and ask them about it.

Q. Have you ever found a case where they have been badly treated?

A. Yes, sir; and the attendant discharged.

Q. I ask you if you remember a man named Spencer?

A. Yes, sir.

Q. Did you ever have any complaint as to the mistreatment of him?

A. No, sir, but I charge him with mistreating me; I have two teeth gone by him.

Q. Did you investigate this charge?

A. Yes, sir.

Q. Was there any foundation for it?

A. I don't think that there was.

Q. Did you examine the foot that he said was hurt?

A. Yes, sir.

Q. Was there anything the matter with the foot?

A. No, sir.

Q. Do you recollect a man named Simms?

A. Yes, sir, he was from Clay County, and had been at the Hospital two or three times.

Q. Do you know of any complaint as to that patient?

A. Yes, sir; Mrs. Hiatt complained to me about him.

Q. What was charged?

A. That the attendant abused him.

Q. He was taken away from the Hospital?

A. Yes, sir; been away nearly a year.

Q. Did you investigate the case?

A. Yes, sir.

Q. Was there any bruises on him?

A. Yes, sir, he was a very strong man and a very violent one, and the bruises that he received was in trying to keep him from killing some one.

Q. Had he any marks on his hands?

A. Yes, sir.

Q. Did you learn that there had been any complaint that the attendants had refused him tobacco and that he had attempted to get the tobacco out of the spittoons and that they had struck him on the hands?

A. No sir.

Q. Did you ever know of the attendants refusing them tobacco?

Q. Did you investigate the Simms matter?

A. Yes, sir, but I can not call the name of the attendant now.

Q. Do you remember that any attendant had been discharged?

A. I don't know.

Q. I will ask you that if when a patient takes that violent form that the contest between him and the attendant is not a contest for life as it were?

A. Yes, sir, I so consider it.

Q. Have you not special rooms where you put them until they recover?

A. Yes, sir.

Q. Did you ever have any complaint that the patients did not have time enough to eat?

A. I don't think that there was any complaint as to that.

Q. How long has Mr. Hall been there?

A. Since the summer of '83.

Q. He is book-keeper and general store keeper?

A. Yes, sir.

Q. Are you associated with him in business?

A. No, sir.

Q. What do you know of his capacity to manage the department?

A. I can not say as to that.

Q. Do you know if there is any system in the carrying on?

A. No sir.

Q. Is there any basis?

A. Not that I know of.

Q. How many years of experience have you?

A. Ten years.

Q. What is your experience as to that kind of way of doing business?

A. I would say that if I was Superintendent I would issue on the basis of the army.

Q. Is not that the only way that this Institution could be run?

A. I think so.

Q. Is there anything in the condition of the Hospital that would prevent the operation of this system ?

A. No, sir ; I think not.

Q. Can you explain why it was necessary to purchase in the month of November 2,000 pounds more butter in '88 than in '87 ?

A. No, sir ; I don't know.

Q. Has there been any increase, in your observation, in the amount of goods used ?

A. I believe that, in the last few months there, it has looked like it on the tables.

Q. What amount ?

A. I could not tell.

Q. Did you ever make any calculation as to the amount of each of these articles that should be used ?

A. Yes, sir ; for my own benefit.

Q. Have you any of these now ?

A. No, sir.

Q. Do you recollect any of the results ?

A. No, sir.

Q. How long has this Mrs. Hyatt been there ?

A. Four or five years.

Q. Do you remember the patient that was scalded by accident ?

A. Yes, sir.

Q. When did it occur ?

A. In September, 1887.

Q. Did you investigate that ?

A. No, sir ; the Coroner did.

Q. Did you make any yourself ?

A. Yes, sir ; I was present and saw the patient in five minutes after it happened.

Q. You may state, in your opinion, how it occurred.

A. I could never understand just how it did occur.

Q. How could it occur without some neglect on the part of the attendant ?

A. Well, the patient might have turned the water on himself while attendant's back was turned for an instant.

Q. Do you think that it was neglect on the part of the attendant ?

A. I don't presume to say.

Q. Would the patient be more likely not to turn the water on himself?

A. Yes, sir.

Q. Was it not the duty of the attendant to see that he did not do that?

A. Yes, sir.

Q. Was that attendant discharged?

A. Yes, sir; immediately.

Q. Would it not require some time for the water to get hot enough to scald?

A. Not if it had been used freely before.

Q. Did you investigate whether that was the case?

A. We gave it as good an investigation as we could.

Q. Are the patients required to do labor, such as scrubbing, etc?

A. Some of them sweep the floors, and some work in the gardens.

Q. Is there any compulsion in the matter?

A. No, sir, my rule is that no man shall be obliged to work.

Q. As a matter of fact, do you know that the rule is followed?

A. I don't know of any violation of it.

Q. Are not many of them required to do things that they rebel against?

A. No, sir; if a man complains I tell him to go to his ward and stay there.

Q. Do you not know that patients are required to black the shoes of attendants?

Q. I don't know anything about it.

Q. Could such things happen and not come to your knowledge?

A. Yes, sir; I don't say that it could not be done.

Q. Has there been any complaint of that kind?

A. No, sir.

Q. Do you remember a patient by the name of Keckler that complained that his shoes had been taken?

A. I don't remember him.

By Mr. Henry:

Q. You are acquainted with this Mrs. Hyatt?

A. Yes, sir.

Q. What kind of an attendant was she?

A. She had charge of the clothes of the patients.

Q. Why was she discharged?

A. On account of inefficiency.

Q. In what way?

A. She would not do her duty, and she was careless about the patients dresses.

Q. Did she make any complaints?

A. Yes, sir; a great many.

Q. Did you investigate them?

A. Yes, sir.

Q. How would you find them?

A. As a rule they were unfounded.

Q. She had a son there?

A. Yes, sir.

Q. Was he ever mistreated?

A. No, sir.

Q. Why did he leave the Hospital?

A. He was discharged at her request.

Q. Did she claim that she did not want to leave him there on account of mistreatment?

A. No, sir; when she left I told her we would keep him there and treat him well.

Q. Did she ever say anything about him trying to kill himself?

A. No, sir; I don't think he was regarded as a suicide patient.

Q. Do you remember telling her once, when he was trying to kill himself, for her to let him alone, that he was no account no how?

A. No, sir; I said that persons who had relatives of that class ought not to grieve, as they would be better off.

Q. Do you watch and see that there is no cruelty done to the patient?

A. I do the best that I can.

Q. Do you remember a man named Keller?

A. Yes, sir.

Q. That is the man that Mrs. Hyatt charges was killed at the Hospital; what about it?

A. He was a man that was badly afflicted with syphilis, and his wife came to see him three or four times and he died there. His wife said that she had no information that he had been mistreated.

Q. How did he get one of his shoulders broke?

A. I don't know.

Q. What was the cause of it?

A. He was absolutely helpless, and he might have got it hurt that way, as he had no control over himself and was as likely to go one way as another.

Q. Was there any cruelty shown to him?

A. Not that I know of.

Q. There was no charge made by any one but Mrs. Hyatt?

A. No, sir.

Q. Do you remember who was in attendance on Keller when he died?

A. No, sir.

Q. When was his shoulder hurt?

A. I don't remember the date.

Q. Did you examine his body to see if there were any bruises on it?

A. Yes, sir.

Q. Was that before or after death?

A. Before death.

Q. Did you find any bruises on his body except on the shoulder?

A. No, sir.

Q. Now, at this time was his mental condition so that he could explain?

A. No, sir.

Q. So far as his statement it would not effect anything showing that the injury had been caused by himself or some one else?

A. No, sir.

Q. Do you know exactly how many patients are in your ward now?

A. I think there are 315.

Q. Would you know actually how many are in the male department to-day?

A. I expect about 630.

Q. What was Dr. Fletcher's efficiency as a Superintendent?

A. He was a very good one.

Q. How long was he Superintendent while you were there?

A. Four and one-half years.

Q. Did you consider him a success in the treatment of disease?

A. He had many good things.

Q. I ask you, if, when Dr. Galbraith came, did he change the treatment and system any?

A. I think that it was carried on about the same way.

Q. Has there been any change in the food, etc?

A. I can only speak of the last few months; I think that there has been more.

Q. Since when?

A. About October, 1888.

Q. Did you examine to see how the cooking was done?

A. I examined the food after it was brought to the dining room.

Q. You don't know anything about the furnishing of the food?

A. No, sir.

Witness was excused

FRIDAY AFTERNOON, March 8, 1889.

Captain Lemcke was placed on the stand, and, after being sworn, testified as follows:

By Mr. Hays:

Q. You are Treasurer of the State?

A. Yes, sir.

Q. You have an account of the State between the Treasury and Mr. Gapen, of the Hospital?

A. Yes, sir.

Q. I wish you would state how much money he drew in the last year, ending October 31, 1888.

A. \$287,000.

Q. I want you to tell the committee how much he draws at a time and at what intervals.

A. He draws one-twelfth every month, which is \$21,666.

Q. State if he ever drew any more than that amount.

A. About two years ago the question came up if he could by drawing less one month draw more the next month, and so I decided that he could.

Q. They drew these amounts on the bills of persons who had furnished supplies?

A. Yes, we had a detailed statement, signed by the respective parties and by the Superintendent, so that we always got a detailed statement signed by Gapen and Harrison, and the statements had to correspond.

Q. I will ask you if it is not a fact that he drew two months in one?

A. No, it is this way: The September allowance is made in the beginning of October; the Board meets on the first Thursday after the first Monday in the month, and in October he would draw two months to complete the year.

Q. Can you tell the amount that he drew?

A. \$23,916.00.

Q. Would he not get the amount at the same time?

A. No, sir, he would get that three weeks later.

Q. Then he would not actually draw \$40,000 at one time?

A. No, sir.

Q. Is it the September allowance that he draws in October?

A. Yes, sir.

Q. And the October in November?

A. Yes, sir.

Q. Do you remember any occasion when any money was advanced to him?

A. There was no advance to him except as I advanced upon an account of an individual and upon the order of Gapen.

Q. Do you remember any month in which he did not get any allowance?

A. No, sir. He always got his allowance promptly unless we were out of money; two or three times he had to go to the Meridian Bank and get money to hold him over and pay wages.

By Mr. Henry:

Q. When was it that you were out of money?

A. I don't remember as to the exact time.

Q. Well, in what period?

A. Well, we always got our statement in December and I suppose it was somewhere near that time.

Q. Then he would have to go to the bank?

A. Yes, sir.

Q. Did you know what he was doing with the money?

A. Yes, sir.

Q. How did you get your information?

A. My recollection is that he told me that the Meridian Bank had accommodated him enough to pay his bills.

Q. You don't know at what time that was?

A. No, sir.

Q. Now you stated that you had accommodated persons several times by advancing money on bills that were due and not sufficient money in the treasury to pay them; who did you accommodate that way?

A. I accommodated the coal man Mr. Wasson.

Q. How many times did you accommodate him?

A. I accommodated him once and possibly twice.

Q. Who else?

A. John Sullivan.

Q. How many times did you accommodate Sullivan?

A. Possibly three times or may be four.

Q. Within the last two years?

A. Yes, sir.

Q. Can you give the time when you accommodated him?

A. The only time that I can give was in the month of January, about the time that he left.

Q. Why was it that you accommodated Sullivan?

A. Because Sullivan was one of the most persistent men that I ever knew.

Q. There was no other reason that you accommodated Sullivan?

A. No, sir; I just did it because he pleaded so hard that he was out of money.

Q. Sullivan had some political influence?

A. Yes, but it was not on my side of the house.

Q. Do you know that he was paid promptly or not?

A. I don't know whether he had anything coming to him or not.

Q. Did you know that he was a mere pauper at that time?

A. I did not know it at that time.

Q. Did you know that he had some influence with the Board at that time?

A. I am not much of a politician and did not.

Q. Have you had any business relation with Sullivan?

A. No, sir, except this matter that I spoke of.

Q. Did you have any warehouse receipts?

A. No, sir, he brought them there and insisted that I should take them, but I would not have anything to do with them.

Q. Did you endorse these things?

A. No, sir.

Q. You never let him have any money?

A. No sir.

Q. Did you let him have any money on these receipts?

A. I did not.

Q. Did he forge your name on any of these receipts?

A. I don't know.

Q. Would he leave the receipts with you?

A. Yes, in the hands of the clerk.

Q. Would Sullivan present them himself?

A. They came in when I was not in the office.

Q. How would your name get on that (showing receipt and check)?

A. I don't know, there was no transaction between him and me.

Q. Did you give this as collateral security upon this bill?

A. No, sir.

Q. You say that Sullivan's receipts were in your possession but you refused to give him any money on them?

A. Yes, sir.

Q. Did he come with them himself?

A. I believe he did.

Q. How many were there of them?

A. I don't know.

Q. When was it that he brought them?

A. I don't know.

Q. Was it in the summer or in the fall?

A. I don't remember.

Q. Did you advance him money on his bills at that time or on order given by the treasurer?

A. I think that the order went back into the Treasury.

Q. If these orders and the bills were not due, do you think that it was right to give money upon these orders in advance of their being allowed by the Board?

A. Well, I had the money, and if I could accommodate a man I was willing to do so.

Q. Is it your idea that you could do that way?

A. I usually had some money of my own, and it was my business.

Q. You say that this was your own money?

A. It was my money provided that the money was not paid back.

Q. And was it not the State's money?

A. Yes, sir.

Q. Do you think that you had a right to pay this money in advance?

A. No legal right.

Q. Here is an order dated January 18; please read it?

A. Reads as follows:

INDIANAPOLIS, IND., Jan. 18, 1889.

P. M. Gapen, Treasurer of the Board of Trustees of the Insane Hospital: Pay to A. J. Lemcke two thousand dollars on my contract for the month of January, 1889.

J. E. SULLIVAN.

Across the face was written: "Accepted," signed P. M. Gapen. On the back was written:

JANUARY 18, 1889.

Received from State Treasurer \$2,000 for J. E. Sullivan.

J. T. O'NEIL.

Q. This was for the month of January?

A. Yes, sir; to be allowed in the first week in February.

Q. This money was paid in anticipation of the allowance of the Board of Trustees?

A. Yes, sir.

Q. I suppose that if you loaned the State's money it would be a personal matter with you if the money was not returned?

A. I considered it so.

Q. If the Treasurer of the Board of the Institution should loan money, he, like you, would be personally responsible, and there would be no difference between you two?

A. No, sir.

By Senator Howard:

Q. This check attached to this order for \$2,371.06—did that come with this order?

A. No, sir.

Q. Was it left with you as security?

A. No, sir; all the order that he gave me was this for \$2,000.

Q. The check was not left with you?

A. No, sir; I know nothing about it.

Q. Do you know whether or not you have advanced money to these parties before the goods were furnished?

A. I don't know; I always understood that the Hospital was indebted to them.

Q. I want to understand whether or not it was an understanding between you and the Trustees of the Hospital that these parties who actually furnished supplies, to go to the Institution and make an arrangement in which they could get money instead of orders for the monthly appropriation?

A. I think not.

Q. How did Sullivan stand in the city at that time?

A. I did not know; I have been a resident of the city but two years.

Q. You have heard of him?

A. I only heard of him politically.

Q. Did Mr. Gapen have anything to do with getting this advance?

A. No, sir; only in an official way.

Q. You have nothing to do with him, only to turn the money over to him?

A. No, sir.

Q. Did you accommodate Mr. Wasson previous to November, '87?

A. No, sir.

Q. There was some excuse for that time, was there not?

A. Yes, sir.

Q. What other amounts had you advanced to him?

A. I think it was \$1,000 at one time and \$2,000 at another.

Q. If you had money in the treasury you let him have it?

A. Yes, sir.

Q. Did this money you let him have belong to the State?

A. My money and the State's are in the same safe.

Q. To whom did you pay this money?

A. It shows that it had been paid to J. T. O'Neil.

Q. Was any one present when your clerk gave him that order?

A. No, sir.

Q. It was done on your order?

A. Yes, sir.

- Q. Did you ever loan Sullivan any amount exceeding \$2,000?
- A. No, sir.
- Q. Do you remember the amounts loaned previous to this?
- A. No, sir.
- Q. You say that you did not charge interest on these?
- A. No, sir.
- Q. Never got anything for the trouble?
- A. Not a cent.
- Q. Never got any promise what he would do for you?
- A. No, sir.
- Q. Who else did you advance money to?
- A. None but those two firms and the South Side Foundry.
- Q. Mr. Wasson came to borrow money?
- A. Yes, sir.
- Q. Did Sullivan ever come to you to borrow money?
- A. No, sir.
- Q. How about the other institutions, did you advance any money to them?
- A. No, sir.
- Q. You would have done so and took the responsibility?
- A. Yes, sir.
- Q. Did you know that these officials had been under a cloud for a long time?
- A. I never knew of it.
- Q. You knew that a committee had investigated these men?
- A. I knew of that.
- Q. And yet you were willing to let this man have money?
- A. I was always impressed with the idea that he was an honest man.
- Q. If he was begging you so much for money would not that make you believe that he was hard up?
- A. Yes, sir.
- Q. When did you learn that Sullivan had no credit in this city?
- A. I don't know. I am not in the habit of mixing with the Merchants as I have a bank of my own to see to.
- Q. Having been a cashier of a bank and a man come for an advance would you not have looked into his credit?
- A. I had no necessity to look into it. I had the order of the Treasurer of the Board and felt safe.

Q. You have had no other transactions than those you speak of.

A. None whatever of that kind.

Witness was then excused.

FRIDAY AFTERNOON, MARCH 8th.

James Barrett being duly sworn testified as follows:

By Senator Hays:

Q. State your name.

A. James Barrett.

Q. Where do you reside?

A. Indianapolis, Ind.

Q. In what business are you?

A. Real estate.

Q. How long have you been in that business?

A. Four or five months.

Q. What was your business prior to that?

A. I was in Lower California.

Q. Where were you before going there?

A. I was in the employ of J. E. Sullivan.

Q. When did your employment cease with him?

A. I don't remember.

Q. What did you do for him?

A. Traveled and bought produce.

Q. Where did you travel?

A. All through Indiana and Illinois.

Q. What kind of produce did you buy?

A. All kinds and grades.

Q. Where did you ship these goods?

A. To Sullivan, Indianapolis.

Q. Did you deliver any of these goods to the Insane Hospital for Sullivan?

A. No, sir.

Q. Did you know anything about the contract that he had with the Hospital?

A. No, sir.

Q. Do you know anything of the quality of the goods furnished by him.

A. Yes, sir.

Q. How do you know?

- A. Because I bought some of them.
- Q. Where did you buy them?
- A. I bought 1,174 pounds of butter at Crawfordsville, Ind.
- Q. When was that?
- A. I don't know.
- Q. What quality of butter was it?
- A. If it had not been boxed tight it would have walked off.
- Q. Did you examine the butter before buying it?
- A. Yes, sir.
- Q. Why did you buy it?
- A. Because it was my orders.
- Q. From whom did you receive your orders?
- A. Sullivan.
- Q. Did he tell you to buy butter that had to be boxed up to hold it?
- A. Yes, sir.
- Q. What did he tell you that he wanted to do with it?
- A. Work it over.
- Q. What did you pay for this butter?
- A. I paid two cents a pound.
- Q. Did he state to you who he had a contract with?
- A. Well, he had a contract with Bliss of New York and furnished him good butter at 22 and 24 cents a pound and the next week he would tell me to buy cheap butter, that he had a contract to fill.
- Q. Did he tell you where that contract was?
- A. I had my opinion.
- Q. How did you get your opinion?
- A. I knew that he furnished the Hospital.
- Q. Did you talk to Sullivan about this butter that was to be furnished to the Hospital?
- A. No, sir.
- Q. How did you get your opinion?
- A. Sullivan told me that Jordan had a contract and was filling with cheap goods, and that he wanted some, too.
- Q. Did you know of him having any other contract than with the Hospital?
- A. No, sir.
- Q. What kind of butter was it that was shipped to New York?
- A. First class creamery.

Q. Have you had any experience in working butter over?

A. Yes, sir.

Q. What is the expense of it?

A. It don't cost very much.

Q. We would like to know that process?

A. I don't think that is necessary for the public to know.

By Mr. Conn:

Q. You may answer the question?

A. Well, it is put into a roller and the grease rolled out, and then some drugs and buttermilk added, and all worked together.

Q. Did you know that his butter was furnished to the Hospital?

A. I don't know where it went to.

Q. Do you know that it was to be shipped East?

A. No, sir, I do not.

Q. What was that butter worth?

A. It was owing to what a man could get for it.

Q. What did it cost?

A. About three and a half cents.

Q. Did you learn what disposition was made of that butter?

A. Not at that time.

Q. Did you at any time?

A. Yes, sir, afterwards.

Q. From whom did you learn that?

A. Sullivan.

Q. What did he say?

A. He said that he made \$2,000 out of it.

Q. What part did you get?

A. I was paid wages.

Q. Did you buy anything besides butter?

A. I bought eggs.

Q. Did you have any instructions as to eggs?

A. I bought all kinds of eggs.

Q. Had you any instruction to buy seconds?

A. Sometimes.

Q. Was the same instruction given as in the butter?

A. Yes, sir.

Q. Did you know of any contract being filled with this class of goods, personally?

A. No, sir.

Q. Was this class of goods shipped?

A. No, sir.

Q. Did he tell you where they were for?

A. No, sir, simply said that he had a contract.

Q. Did you know of him having any other contract than at the hospital?

A. No, sir, only that one in New York.

Q. What was said about buying of poultry?

A. Nothing.

Q. What did you have to pay for eggs?

A. Sometimes 11 and 12 cents.

Q. How low?

A. Three and four cents.

Q. What are called seconds in eggs?

A. Those that are cracked, and packed eggs in salt, and broken ones.

Q. Where were you employed before entering Sullivan's employ?

A. I was in business for myself.

Q. Where at?

A. Sullivan, Ind.

Q. What kind of business?

A. Restaurant.

Q. Did you go to Sullivan and solicit him for a job?

A. No, sir.

Q. By what route was that butter shipped from Crawfordsville?

A. I think that it was the I., B. and W.

Q. Was it all shipped at one time?

A. I don't know; I went on down in the State.

Q. Did you buy any more of that class of goods on that trip?

A. I guess I did.

Q. Where at?

A. I don't recollect.

Witness was then excused and the committee adjourned *sine die*.

MONDAY MORNING, March 11, 1889.

David B. Kyte, being duly sworn, testified as follows:

Examined by Mr. Henry:

Q. State your name?

A. David B. Kyte.

Q. Where do you reside?

A. My residence proper is at Muncie, Indiana. I am agent of the Adamson Company, of Muncie, at Kansas City, Mo.

Q. Were you ever employed at the Insane Hospital?

A. Yes, sir; I went there in 1883 and remained there four years.

Q. In what capacity were you employed there?

A. As an attendant for the first three months; then for nearly three years as book-keeper, and for ten or eleven months as Private Secretary to Superintendent Galbraith.

Q. Do you know Dr. Howard?

A. I do.

Q. Are you the gentleman referred to in his testimony?

A. I am.

Q. Did you visit a patient's room in his department at unusual hours?

A. I did not. I think the dispatch I received stated that he had testified that I had visited the ward at an improper season.

Q. Did you visit any of the ladies' rooms in Dr. Howard's department at any improper season?

A. I did not.

Q. Did you visit any of the patients' or attendants' rooms at an improper season?

A. I did not.

Q. If there is any explanation you wish to make you may do so.

A. If you will permit me to say one thing further. In relation to Dr. Howard's testimony, I have this to say: that he overstepped the bounds of truth and cast an insinuation upon an innocent young lady, unworthy of a gentleman.

A. You may state whether he ever complained to the Superintendent of your visits to the young lady's apartment.

A. Not to my knowledge.

Q. Did he ever complain to you of improper visits to the young lady's apartment?

A. No, sir.

Q. When did you first hear or have any intimation of anything of the kind?

A. In April, 1888.

Q. Whom did you hear it from?

A. The Superintendent.

Q. What were the nature of the charges?

A. There was no charge, except that he thought it was improper for me to visit the wards of the Hospital. As I was an employe of the Hospital as well as himself, according to the instructions I had received, I had a right to visit parts of the Hospital wherever employes were on duty.

Q. Was there ever any improper relation between you and any attendant, or female, in Dr. Howard's department?

A. There never was in any department of the Hospital. I was discharged from the Hospital on the 3d of July. I have a letter of recommendation from the Superintendent, stating that my duties were performed satisfactorily, and that no charges were preferred against me.

Q. Do you know anything of the management of the contingent fund; or have you any personal knowledge of things there that were not right?

A. I know all about the one thousand dollar transaction with Mr. Sullivan; I drew the check myself. I know also something relating to the transaction wherein vouchers for the reimbursement of the contingent fund, for the months of January, February and March, 1888, were increased beyond that which was actually expended from the contingent fund.

Q. You may state in what way.

A. At the first meeting in each month, of the Board of Trustees, a voucher is presented by the Superintendent for the amount of expenditures from the contingent fund, on the incidental account. In the month of January, this voucher was presented for more money than was actually expended—January, 1888. For the month of February, this voucher was presented for more, and for the month of March for more than was actually expended. A sufficient amount of money on the proceeds of these checks, for these months, was deposited to the credit of the contingent fund, out of their allowance each

month, to reimburse the contingent fund; and the Superintendent received, in excess, from the cashier of the bank, that amount which was not necessary to reimburse it. I can not give you the data.

Q. Does the statement here made by you, under oath, and submitted as part of your testimony, contain a statement of the facts in reference to this transaction?

A. Yes, sir, it does. It gives the numbers of the checks, and at each time those increases are marked out and explained in full.

Q. That statement is true?

A. Yes sir.

Q. Have you any other facts, outside of your statement, which is made a part of your evidence; do you know of any other facts pertaining, or relative to the management of the Institution, that you would like to state?

A. I know of several things which would lead only to the discussion of matters which you have probably gone over.

Q. You stated that you had come from Kansas City for the purpose of vindicating your character; and asked that you might give in your testimony on this subject?

A. Yes, sir; and for the purpose, also, of defending the character of the young lady.

Q. In what condition are the day books of the contingent expenses of the Institution?

A. The day book of the contingent expenses, the day book of the incidental expenses and of the contingent fund, show these irregularities mentioned and detailed in the evidence submitted in type-writing.

Q. We have never seen these books, and you may tell us the character of them, how they are kept?

A. The day book of incidental expenses, is the book in which the account is kept of the expenditures actually made from the contingent fund. The day book of the contingent fund, is the book in which the account of the contingent fund, with its expenditures, monthly statements, etc., is kept with the bank.

Q. Will these books show irregularities?

A. They will, unless destroyed.

Q. Was the Board cognizant of this: the Board of Trustees?

A. I was told by Mr. Wilhelm, the assistant book-keeper, that the Board generally stipulated, or decided, the amount for which this voucher was to be presented for each time; that the voucher was presented to the Superintendent for his oath; and the vouchers are now on file in the Auditor's office, with the Superintendent's signature attached to the oath, attested by J. S. Hall.

Q. Do you think there was a combination out there for the purpose of defrauding the State out of the money?

A. There was a combination there, I think, for the purpose of obtaining that money illegally.

Q. Who shared the proceeds of the combination?

A. The proceeds as received by the Superintendent, were received by Dr. Harrison and Philip Gapen, in my presence; what became of it afterwards, I do not know.

Q. Is there any other fact that you can refer to particularly, regarding the management?

A. I have evidence, copies, etc.; tangible evidence of different transactions and things pertaining to the hospital, which would be interesting reading to the committee if they had the time to read them and consider them.

Q. We have not time for that purpose; and I suppose it will have to remain untold. Do you know of any irregularities on the part of Mr. Hall?

A. None that I could swear to, positively. My business was entirely separate from his; he being in the storekeeper's department and I in the Superintendent's office.

Q. How far back do these transactions date, the irregularities to which you have referred?

A. They commenced in December, 1887, after Dr. Galbraith came to the Hospital.

Mr. Conn:

Q. At whose instigation were they made? Who suggested it?

A. The Board of Trustees instigated the raising of the amounts of the contingent vouchers, as I understood it from Mr. Wilhelm, the Assistant Book-keeper.

Q. You also stated that Mr. Gapen and Mr. Harrison got the money?

A. Yes, sir.

Q. Did Mr. Burrell get any of it?

A. Mr. Burrell never received any of the money I spoke of. Witness was excused.

The following statement was submitted by Mr. Kyte as a part of his testimony by consent of the Committee :

I am a Doctor of Medicine, and a graduate of the Physio-Medical College of Indianapolis in the year 1883. I am a native of Jackson County, Indiana, but reside at Muncie, Indiana, at this time.

In the early spring of 1885 I became connected with the Indiana Hospital for the Insane. At that time Dr. Fletcher was the Superintendent, and I was for three months an attendant, after which I was appointed time-keeper, and continued as time-keeper until Dr. Fletcher left the Hospital.

After Dr. Galbraith became Superintendent I was appointed Private Secretary to the Superintendent, but continued to serve as time-keeper also. As Private Secretary, I did the general clerical work belonging to the position, carried on the correspondence of the Hospital, and also kept the contingent account and the account of the incidental expenses of the Hospital. The account of incidental expenses was kept in a book called the "Day Book of Incidental Expenses." The contingent fund was kept in bank, and an account between the Superintendent and the fund was kept in a book called the "Day Book Contingent Fund." This contingent fund is a fund of two thousand dollars set apart from the general maintenance fund at the beginning of each fiscal year, and it is placed to the credit of the Superintendent of the Hospital, and is designed to pay such incidental expenses as occur from time to time, which can not well wait until the monthly meetings of the Board. At the first meeting of the Board of Trustees in each month the Superintendent presents a voucher showing the amount expended on the contingent account for the previous month. Previous to the date of January, 1888, the voucher presented each month by the Superintendent was itemized, showing upon what account expenditures from the contingent fund had been made. Each month the Superintendent is required to make oath that the voucher presented is correct. The Board of Trustees audits the claims, and among others, the voucher presented by the Superintendent for contingent expenses, and places them on a schedule which the Treasurer of the Board certifies to be correct, and upon which the Auditor of State

draws his warrant upon the Treasurer of State in favor of the Treasurer of the Board of Trustees of the Hospital for the Insane. The Treasurer of the Board in turn draws his official check in favor of the various persons whose names appear on the schedule as having just claims against the Institution, and among others he draws a check in favor of the Superintendent for the amount of the contingent expenses which have been paid by him out of that fund.

On the 22d day of December, 1887, Dr. Thomas H. Harrison, one of the Board of Trustees, came to the Hospital and had a conversation in regard to obtaining a loan from the contingent fund for John E. Sullivan, Clerk of the Marion County Circuit Court, and stated in the course of the conversation that the "boys were pretty hard pressed," and that he (Sullivan) had always been a friend of the Hospital, and that he felt we would have to let him have the money. After a little hesitation, Dr. Galbraith directed me to draw a check for one thousand dollars in favor of himself or bearer, payable from the contingent fund. I drew the check, as directed, and it was signed by Dr. Galbraith and given to Dr. Harrison, who took it away from the Hospital with him. This check was No. 6, of the December series, dated December 22, 1888. He assured us that it would be paid back within a few days, at any rate it would be paid as early as the next meeting of the Board of Trustees, when an account would be allowed to Sullivan, and he would then return the money. After the regular meeting of the Board in January, and the allowance of Mr. Sullivan's account, Dr. Galbraith and myself called upon Mr. Sullivan for the money. We found him in one of the rooms of the Superior Court, where, as I learned, he was defending himself in a suit for damages for assault and battery. He told us that his check was not payable for ten days, and that at the end of that time he would pay us the money. At the expiration of that time I called him by telephone, by the direction of Dr. Galbraith, and asked him about the money. He said he had made arrangements with Dr. Harrison and Philip Gapen not to return the money until after the next meeting of the Board, and I told Dr. Galbraith what he said. Then Dr. Galbraith went to the telephone and told him that he was not in the habit of allowing Harrison and Gapen to arrange his business without

his consent. And the same day Dr. Galbraith wrote him a letter relative to the money, as he informed me, and the next day he told me that Sullivan had answered him by saying that so far as he was concerned he (Galbraith) had nothing to do with the matter, as he had obtained the money from Dr. Harrison. The money was repaid on the 11th day of February, 1888. When it was taken out it was charged to Dr. T. S. Galbraith, personally, and there was a notation on the check book, and, I think, also on the contingent account, showing where it had gone, either that it had gone to the Board of Trustees or to J. E. Sullivan.

Near the time of the meeting of the Board, each month, a statement is made up, showing the amount of expenditures from the fund during the month just ended, and the condition of the fund up to the date of the statement; and the Superintendent makes a report to the Board of Trustees, in which he embodies the substance of this statement. The statement made for the January meeting, 1888, is as follows:

INDIANA HOSPITAL FOR THE INSANE.

Statement of Condition of Contingent Fund January 10, 1888.

	<i>Dr.</i>	<i>Cr.</i>
Total contingent fund.....		\$2,000 00
Reverting from December pay-roll.....	\$126 45	
Reverting from December contingent voucher.....	84 07	
Due from January pay-roll.....	13 20	
Due from January contingent voucher..	3 00	
Due from J. E. Sullivan's general voucher.....	1,000 00	
Balance on deposit....	773 28	
	<hr/>	<hr/>
Total.....	\$2,000 00	\$2,000 00

A like Statement was made for the February meeting, and was as follows :

INDIANA HOSPITAL FOR THE INSANE.

Statement of Condition of Contingent Fund February 11, 1888.

	Dr.	Cr.
Total contingent fund.....		\$2,000 00
Reverting from January pay-roll.....	\$234 80	
Reverting from January contingent voucher.....	101 75	
Due from February pay-roll.....	12 60	
Due from J. E. Sullivan	1,000 00	
Balance on deposit.....	650 85	
Total.....	\$2,000 00	\$2,000 00

A like statement was made for the March meeting, which was as follows :

INDIANA HOSPITAL FOR THE INSANE.

Statement of Condition of Contingent Fund March 13, 1888.

	Dr.	Cr.
Total fund		\$2,000 00
Reverting from February pay-roll	\$196 85	
Reverting from February contingent voucher.....	91 04	
Due from March pay-roll	14 35	
Balance on deposit.....	1,697 76	
Total.....	\$2,000 00	\$2,000 00

Beginning with January, 1888, a change was made in the manner of presenting the vouchers for expenses from the contingent fund, and instead of drawing a voucher showing the items of expense, a separate statement was presented to the Board showing such items.

For the month preceding the February meeting the actual expenses chargeable to the contingent fund were \$101.75, and

an itemized statement was presented to the Board showing that fact; but the voucher drawn for the reimbursement of the Superintendent for expenses on account of the contingent fund was made for \$242.18. This amount was allowed by the Board of Trustees and placed upon the schedule as the correct amount, and the Auditor of State drew his warrant for the amount of which this large sum formed a part, and the Treasurer of the Board of Trustees, as before explained, drew his check for this amount of \$242.18 in favor of Dr. Galbraith, as appears in the records pertaining to the matter. After the check was drawn it was left at the Meridian National Bank for Dr. Galbraith. I went there with Dr. Galbraith, as I was in the habit of doing, to make our monthly settlement. We always pay into the contingent fund from the check drawn in favor of Dr. Galbraith a sum sufficient to reimburse that fund for the expenses charged to it during the preceding month. Previous to this action we had always applied the whole of the proceeds of these checks to the reimbursement of this fund; but at this time Dr. Galbraith had a check for \$248.08, and only \$101.75 was required to reimburse the fund, as that had been the amount actually expended from it; so that he deposited to the credit of the contingent fund \$101.75 only from the proceeds of this check, and received the remainder in cash from Mr. Kopp, the cashier of the bank. This cash Dr. Galbraith took with him to the Hospital, and I locked it up in the safe by his direction. In a few days, I think within four or five days, Mr. Philip Gapen, one of the Hospital Trustees, came to the office, and by Dr. Galbraith's direction I took the money from the safe and handed it to him, and he gave it to Mr. Gapen in my presence. There was some conversation between Dr. Galbraith and Mr. Gapen at another desk in the office, which I did not hear, but Mr. Gapen took the money from the Hospital, and I never saw it again. The statement of the condition of the contingent fund for the February meeting, a copy of which I have set out above, shows the expense chargeable to it to have been \$101.75. This statement was made for the information of the Superintendent and Board of Trustees, and with this information before them Dr. Galbraith swore that this voucher was correct, the oath being administered by J. S. Hall, a Notary Public, as appears of record, and being now on file in the office of the Auditor of State.

For the month previous to the meeting in March, 1888, the actual expenses chargeable to the contingent fund were \$91.04; but the voucher presented was for \$276.47, and the same kind of a statement and the same sort of an affidavit made as in the former case, and the same kind of a settlement was made at the bank, and Dr. Galbraith in like manner as before divided the proceeds of the check, depositing to the credit of the contingent fund an amount sufficient to reimburse it for the expenditures actually made and took the remainder to the Hospital where it was called for in a few days by Dr. Thomas H. Harrison. There was some conversation on that occasion between Dr. Harrison and Dr. Galbraith which I did not hear, but by direction of Dr. Galbraith I gave him the money from the safe, and he, in my presence, handed it to Dr. Harrison and I saw no more of it.

For the month preceding the April meeting of the Board, the actual expenses chargeable to the contingent fund were \$58.75, and the usual statement was made showing that fact; but the voucher was presented for \$273.32, and the same affidavit made as in the former cases. After the check had been drawn for this charge, the same settlement was made at the bank as before, and after depositing \$58.75 to reimburse the contingent fund, Dr. Galbraith received in cash the difference between that sum and \$273.32, which was taken to the Hospital and in a few days was called for by Dr. Harrison and he received the money.

These excessive vouchers threw the day book of incidental expenses out of balance and it stood so until early in June, when I was directed by the Superintendent to balance the accounts. I asked him how I should proceed to do so; and he told me that I was to charge to H. N. Spaan, an attorney, a payment for the amount of \$140.43, for the month of January which balanced the book; and for the month of February, to C. S. Wesner, attorney, \$185.43; and for the month of March, to C. S. Wesner, attorney, \$314.57; these entries were made accordingly, and in that manner the books were balanced. The books do not show what services were rendered by Messrs. Spaan and Wesner, but Dr. Galbraith informed me that the expenditure was for attorneys' fees.

Among the vouchers presented for settlement at the February meeting of the Board, 1888, was one from W. B. Burford, being voucher No. 108, drawn on the maintenance fund for the sum of \$169.87, across the back of which was written "For stationery." The voucher shows that it was drawn for 10,000 pamphlets, 32 pages, and bears date April 14, 1887. It was the custom for all vouchers to be first presented to the Superintendent, and he indorsed his approval on the back of them. This voucher was presented to him about the time of the meeting of the Board, and he asked me what it was for, and after looking at it I told him I supposed it was for the printing of the Senate Committee Report and the minority report of the House Committee on the investigation of the Benevolent Institutions, and he said if that was the case he would not approve it; and he asked me to hunt him a copy of the pamphlet, which I did, and I found one, and it was a 32-page pamphlet, and he said upon seeing it that he would not approve the voucher. He never did approve of it, and the voucher is now in the office of the Auditor of State without his approval indorsed thereon. Mr. Hall, the Steward, came in soon after the conversation between Dr. Galbraith and myself, and the Doctor asked him what this voucher was for, and he gave him the same explanation that I had given. The voucher is now in the office of the Auditor of State, and I suppose has gone through the ordinary course and been paid. There was a large number of these 32-page pamphlets brought to the Hospital sometime before this bill was rendered, and some of them were distributed from there, and a number were there when I left. They included the report of the Senate Committee which investigated the affairs of the Hospital for the Insane in the winter of 1887, and the minority report of the House Committee which made a similar investigation.

In politics I am a Democrat, and the family to which I belong have been Democrats. There were no charges of misconduct against me when I left the Hospital, and upon quitting it the following certificate was given me by Dr. Galbraith:

INDIANA HOSPITAL FOR THE INSANE,
THOMAS S. GALBRAITH, M. D., SUPERINTENDENT,
INDIANAPOLIS, IND., July 10, 1888. }

To Whom It May Concern :

Dr. D. V. Kyte has been in the employ of this Hospital for more than three years. For the past nine months he has acted in the capacity of time-keeper and private secretary to the Superintendent. We take pleasure in testifying to his industry and efficiency. He is trustworthy and reliable in any position in which he may be placed. He has the esteem and best regards of all with whom he has been associated here.

Respectfully,

T. S. GALBRAITH,
Superintendent.